

AGENDA

HOUSING CONSULTATIVE BOARD MEETING



Date: Monday 30 January 2012
Time: 6.30 pm
Venue: Meeting Room 1A, Maidstone
House, King Street, Maidstone

Membership:

Councillors Barned (Chairman), Beerling, Brindle,
Mrs Gibson, Ms Griffin (Vice-
Chairman), Mrs Grigg and Hinder

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

Continued Over/:

Issued on 18 January 2012

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**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

6. Minutes of the Meeting held on 26 September 2011 1 - 3
7. Presentation from Golding Homes - Regeneration Plans for Park Wood
8. Report of the Head of Housing and Community Services - Adoption of Tenancy Strategy 4 - 17
9. Report of the Head of Housing and Community Services - Options for responding to the demand for temporary accommodation and B&B under homelessness obligations 18 - 25

Agenda Item 6

MAIDSTONE BOROUGH COUNCIL

HOUSING CONSULTATIVE BOARD

MINUTES OF THE MEETING HELD ON 26 SEPTEMBER 2011

Present: Councillor Barned (Chairman), and
Councillors Beerling, Brindle, Mrs Gibson, Ms Griffin,
Mrs Grigg and Hinder

Also Present: Councillors Burton and Nelson-Gracie

13. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

14. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

15. **NOTIFICATION OF VISITING MEMBERS**

Councillors Burton and Nelson-Gracie were in attendance.

16. **ELECTION OF CHAIRMAN**

Following the issues raised about the Chairmanship of this Board, Members were reminded of the subsequent advice given by the Monitoring Officer. Some Members still had concerns over public opinion on the Chairmanship of this Board and asked that this be noted.

RESOLVED: That Councillor Barned be elected Chairman for the remainder of the Municipal Year 2011/12.

17. **DISCLOSURES BY MEMBERS AND OFFICERS**

Councillor Barned declared a prejudicial interest in Agenda Item 9 – Common Housing Assessment Framework as he is the Vice Chairman of Golding Homes, Chairman of the Board of Golding Vision and an employee of Hyde Housing.

Councillors Beerling, Mrs Gibson and Hinder declared a personal interest in Agenda Item 9 – Common Housing Assessment Framework as they are former Board Members of Golding Homes.

18. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

19. MINUTES

RESOLVED: That the Minutes of the Meeting held on 6 June 2011 be agreed as a correct record and signed.

20. MANDATORY POWER OF POSSESSION FOR ASB CONSULTATION

The Board considered the report of the Director of Regeneration and Communities regarding proposed responses to the consultation on the new mandatory power of possession for Anti-Social Behaviour ("ASB").

Members asked a number of questions of the Head of Housing and Community Services and raised the need to ensure there is some balance, particularly when the tenant is a vulnerable person. Members noted that there is currently no definition of "housing related" ASB and that this is something the Court will need to define in time.

RESOLVED: That the Head of Housing and Community Services amends the response to the consultation to show general approval for the change as long as a balance is maintained and that this forms the response recommended to the Cabinet Member for Community and Leisure Services as the Council's reply to the consultation on new mandatory power of possession for ASB.

21. COMMON ASSESSMENT FRAMEWORK FOR HOUSING IN KENT

The Chairman left the room and the Vice Chairman took the Chair.

The Board considered the report of the Head of Housing and Community Services regarding a draft Common Housing Assessment framework in order that local authorities in Kent can adopt the same method for assessing housing need, in accordance with statutory guidelines, whilst maintaining separate and distinct allocation policies that allow for meeting local needs.

The Head of Housing and Community Services informed Members that this was a first draft and more definition will be added to the document and answered questions raised by Members regarding servicemen, the Data Protection Act and consultation.

RESOLVED:

1. That the Cabinet Member for Community and Leisure Services be recommended to adopt the proposed Common Housing Assessment framework as the basis for consulting on a revised Allocation Scheme for Maidstone Borough Council, subject to there being no additional cost to the Council.
2. That the final draft of the Common Housing Assessment framework document to be used for the consultation be circulated to all Members of the Board prior to the consultation.

Following the above decision, the Chairman returned to the room and took the Chair.

22. DURATION OF MEETING

6.30 p.m. to 7.45 p.m.

Agenda Item 8

MAIDSTONE BOROUGH COUNCIL

HOUSING CONSULTATIVE BOARD

REPORT OF HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Andrew Paterson

1. ADOPTION OF TENANCY STRATEGY

1.1 Key Issue for Decision

- 1.1.1 To consider adopting the tenancy strategy attached as appendix 1, which will have to be done within 12 months of s150 of the Localism Act coming into force and which has been consulted on with every Registered Provider of Social Housing within the Borough.

1.2 Recommendation of Head of Housing and Community Services

That the council adopts the attached appendix 1 as its formal tenancy strategy.

1.3 Reasons for Recommendation

- 1.3.1 The Localism Act requires Local Authorities adopt a Tenancy Strategy within 1 year of s151 of the Act coming into force.
- 1.3.2 The strategy attached as appendix 1 has been consulted on with Registered Providers of Social Housing and reflects feedback from them.
- 1.3.3 The strategy complies with legislation and maintains Maidstone Borough as a flexible and attractive place to build and has been developed with regard to the council's Allocation Scheme and Homelessness Strategy.
- 1.3.4 The strategy enables Maidstone Borough Council to influence the tenancy policies of Registered Providers of Social Housing and provides a response to recent government changes in the area; such as affordable rent and flexible tenure.

1.4 Alternative Action and why not Recommended

- 1.4.1 The Council could adopt a more rigid, detailed and prescriptive Tenancy Strategy that would set out more formal limits and options for

tenancies. This is not recommended because Registered Providers of Social Housing work across multiple areas and they must continue to see Maidstone as an attractive and profitable place to do business in order to ensure a continuing supply of homes within the Borough.

1.4.2 The Council could choose to delay adopting a strategy, however, Registered Providers of Social Housing are adopting tenancy policies of their own as required by separate legislation and in order to influence this the Council needs to adopt a strategy quickly.

1.4.3 The Council could choose not to adopt a policy but this would put the Council in breach of legislation.

1.5 Impact on Corporate Objectives

1.5.1 The Tenancy Strategy will impact positively on ensuring Maidstone is a decent place to live and in supporting that Maidstone has a growing economy.

1.6 Risk Management

1.6.1 None

1.7 Other Implications

1.7.1

- 1. Financial
- 2. Staffing
- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

1.8 Relevant Documents

1.8.1 Appendices

Appendix A - Tenancy Strategy Document

1.8.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

...12/01/12.....

This is a Key Decision because: it affects more than one ward.....

.....

Wards/Parishes affected: All.....

.....

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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Maidstone Borough Council Tenancy Strategy 2012-2015

1. Purpose of Document

The purpose of the tenancy strategy is to set out expected standards for registered providers of social housing that are working within Maidstone Borough. The document will set out matters for registered providers to have regard to in formulating their policies on areas such as flexible tenure and affordable rent.

Whilst the tenancy strategy will be a document that sits alongside the Homelessness Strategy and the Allocations Scheme, it is important to note that most registered providers work in multiple local authority areas and will need to have regard to many tenancy strategies. With this in mind, we are working towards a Kent wide strategy which will work in conjunction with this document.

As most providers will be required to have regard to many tenancy strategies, it is our belief that a local authority tenancy strategy should be a succinct document that sets out minimum standards to be adhered to whilst ensuring registered providers still see Maidstone Borough as an attractive and profitable place to build new properties.

2. Legislative Framework

The Localism Act will place a new duty on local authorities to publish a tenancy strategy. All registered providers of social housing must then have regard to this strategy in the development and implementation of their own.

Local Authorities are mandated to have this in place within a year of s150 of the Localism Act coming into force. Registered providers of social housing are implementing their own tenancy strategies and are taking these to their boards so that they are in place for the 2012/13 financial year.

Clause 150 of the Localism Act states:

A local housing authority in England must prepare and publish a strategy (“a tenancy strategy”) setting out the matters to which the registered providers of social housing in its district are to have regard in formulating policies relating to:

- a) The kinds of tenancies they grant,
- b) The circumstances in which they will grant a tenancy of a particular kind,
- c) Where they grant tenancies for a certain term, the lengths of the terms, and

d) The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy

3. Tenancy Type and Length

All tenancies in Maidstone will be Assured Shorthold Tenancies. Maidstone Borough Council expects lifetime tenancies will be granted unless the Registered Provider can demonstrate that 'flexible tenancies' can make best use of the housing stock.

There will be a variety of 'flexible tenancy' lengths offered within Maidstone Borough; however these will fall into 3 categories

a) 1 year starter

These will be offered to new tenants of social and affordable rent properties to ensure that new tenants are able to complete a tenancy in accordance with the requirements of the registered provider.

b) 2 year exceptional

These will be offered to tenants who have exceptional circumstances and may need assistance in maintaining a tenancy. Please refer to section 8 for more detail of this

c) 5 year standard

This will be the minimum length of a standard tenancy. Registered Providers are able to offer standard tenancies of longer than this, in accordance with their own tenancy policies, but 5 years will be the minimum length required.

Whilst we expect our registered providers to offer the above types of tenancies within the Borough and to adapt their standard tenancy length to fit a tenant's circumstance, there should be a standard tenancy length that each Registered Provider has in accordance with their own tenancy policy. Each Registered Provider will supply a copy of their tenancy policy to Maidstone Borough Council upon adoption or amendment

4. Circumstances in which Specific Tenancies will be Granted

a) 'Exceptional tenant'

Where a tenant is deemed as an exceptional case- see section 8 for a definition - they will be granted an exceptional 2 year tenancy. Upon successful completion of this tenancy, the next tenancy will be granted as a standard tenancy. If the tenancy is unsuccessful discussions must be undertaken with the housing advice service to ensure that homelessness does not occur.

b) 'Vulnerable Tennant'

Where a tenant is deemed as vulnerable – see section 8 for a definition – it is expected that they will be offered a tenancy that provides stability in accordance with their needs. The exact length of this will need to be tailored toward the individual needs of each individual vulnerable tenant.

Registered Providers will need to ensure that the circumstances in which tenancies that are non-standard are granted in accordance with their own tenancy policies.

5. Renewal or Termination of a Tenancy

This section does not apply to Registered Providers of Social Housing who are retaining lifetime tenancies.

This section only applies when a tenancy is being renewed or terminated at the end of the tenancy period. It does not apply to tenants ending their tenancy of their own accord, or in situations in which tenants are being evicted before the end of their tenancy by a possession order, such as rent arrears or anti-social behaviour.

Maidstone Borough Council will expect that at the end of a tenancy there will be a positive presumption in favour of renewing a tenancy for a further standard length. The only exceptions to this will be:

a) Anti-Social Behaviour issues

These issues must be persistent over the life time of the tenancy or most prevalent in the last two years of the tenancy and be such that a change in location or living circumstances is likely to resolve the issue.

b) Under-Occupation

In cases where there are one or more spare bedrooms in a property the non-renewal of a tenancy will be expected to make best use of housing stock within the Borough

c) Statutory Over-crowding

In cases of statutory over crowding as currently defined by part 10 of the Housing Act 1985 s.326.

d) Change in Need

In cases where specific accommodation has been provided to suit a specific need – such as disabled adapted properties or extra care – where the need is no longer required.

S164 of the Localism Act will make it incumbent on Registered Providers of Social Housing to provide housing advice on the non-renewal of a tenancy. *(The Council can provide this service, however, the*

implications of this to the housing advice service may mean that a fee has to be introduced payable by the Registered Provider of Social Housing).

6. Affordable Rent

Affordable Rent will provide one of the main funding sources for future developments, and as such Maidstone Borough Council accepts the need for affordable rents as long as it does not exceed the level of the local housing allowance as determined by central government.

What is calculated as 80% of market rent will be determined by Registered Providers of Social Housing commissioning surveys from local estate agents, however, in some areas of the Borough the rental market is small and it is difficult to establish market rent with any true reliability. In these circumstances the Council will work with Registered Providers to establish a fair rent level for the Registered Providers and tenants.

The challenge of the affordable rent model is to ensure that higher rent levels do not trap those on lower incomes in a cycle of poverty and that whilst they may be able to pay the rent, that they are still able to afford fuel, food, travel, and all the other essential needs. It is incumbent on both the Council and Registered Providers of Social Housing to ensure this.

The council will allow up to a maximum of 25% of existing stock to be changed to the affordable rent model. Registered Providers can only do this when properties have become void.

7. Existing & Transferring Tenants

It is vital for Registered Providers to ensure that any existing tenants who are transferring to another property, and are changing to either a flexible tenure or affordable rent, fully understand the changes to their terms, and the implications that these have. *(This could be an area that is existing housing advice provision by the Council is used; however, a charge may be levied for this).*

Whilst it is for the Registered Provider to determine whether a tenant will keep their old terms or change to new terms, in cases of under-occupation or a tenant moving into a property which has been adapted for their specific needs the Council expects that if the tenant had a lifetime tenancy or were paying social rent that this will be maintained to encourage best use of housing stock within the Borough.

In cases where a tenant is forced to leave their property due to circumstances beyond their control, such as fleeing domestic violence, Registered Providers will need to carefully consider if it is appropriate to move such tenants to affordable rent or flexible tenures.

The Council is fully supportive of the Mutual Exchange Scheme and of increasing mobility in the social housing sector. It is an expectation that Registered Providers wishing to develop new affordable housing in Maidstone will sign up to the governments Homeswap Direct Scheme and will encourage their tenants to use the scheme if they are looking to move outside of the local area.

8. Definitions

‘Exceptional tenant’ – an exceptional tenant will be a tenant who requires additional support to maintain a tenancy or for whom a 5 year tenancy may not be acceptable. This will include but not be limited to: applicants moving on from supported accommodation, ex-offenders or those with a history of substance or alcohol misuse.

‘Vulnerable tenant’ – a vulnerable tenant will be a tenant who requires stability in their tenure. This will include but not be limited to: older tenants especially those moving into sheltered accommodation and those with lifelong disabilities especially when moving into an adapted property

Stage 1: Equality Impact Assessment

1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?
The Tenancy Strategy is being written to comply with s150 of the Localism Act. It is to ensure that changes to the way social housing is provided – such as flexible tenure and affordable rent – are monitored and that Registered Providers of Social Housing understand what Maidstone Borough Council’s position on these changes are.
2. How do these aims affect our duty to: <ul style="list-style-type: none">• Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.• Advance equality of opportunity between people who share a protected characteristic and those who do not.• Foster good relations between people who share a protected characteristic and those who do not.
The policy is to be universally applied to Registered Providers of Social Housing and will not impact on discrimination or equality
3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?
Affordable Rent and Flexible Tenure will lead to inequities in terms of contracts between existing social tenants and new social tenants. This is an unavoidable consequence of these changes.
4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?
No, this is a policy that will be applied universally and will impact all tenants of social housing.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

Stage 2: Equality Impact Assessment

Name of Policy/Service/Function
Purpose
What are you trying to achieve with the policy / service / function?
Who defines and manages it?
Who do you intend to benefit from it and how?
What could prevent people from getting the most out of the policy / service / function?

How will you get your customers involved in the analysis and how will you tell people about it?
Evidence
How will you know if the policy delivers its intended outcome / benefits?
How satisfied are your customers and how do you know?
What existing data do you have on the people that use the service and the wider population?
What other information would it be useful to have? How could you get this?

Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?
Are you using partners, stakeholders, and councillors to get information and feedback?
Impact
Are some people benefiting more – or less - than others? If so, why might this be?
Actions
If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?

Is it discriminatory in any way?
Is there a possible impact in relationships or perceptions between different parts of the community?
What measures can you put in place to reduce disadvantages?
Do you need to consult further?
Have you identified any potential improvements to customer service?

Who should you tell about the outcomes of this analysis?
Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?
When will this assessment need to be repeated?

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

HOUSING CONSULTATIVE BOARD

30 JANUARY 2012

REPORT OF HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Neil Coles

- 1. Options for responding to the demand for temporary accommodation and B&B under homelessness obligations**
 - 1.1 Issue for Decision
 - 1.1.1 To consider the options available to the Council to respond to the increased demand for temporary accommodation from homeless families.
 - 1.2 Recommendation of the Head of Housing and Community Services
 - 1.2.1 That the Housing Consultative Board note the options detailed in this report.
 - 1.3 Reasons for Recommendation
 - 1.3.1 The council is required to provide temporary accommodation for certain households who are considered to be homeless and may have a 'priority need'.
 - 1.3.2 Households are considered to be in priority need if they include one or more dependent children, or if a member of the household is 'vulnerable', e.g. pregnant, 16/17 year-old, has mental health vulnerabilities, fleeing violence or threats of violence etc.
 - 1.3.3 Where households present to the council as homeless and are considered to be in priority need, the council is required to provide temporary accommodation while a homelessness investigation takes place into whether they made themselves homeless and if they have a local connection to this area.
 - 1.3.4 Where the council considers that the household is intentionally homeless or does not have a priority need following the investigation, the council is still required to provide temporary accommodation for a reasonable period to enable the household to

find alternative accommodation, and currently the council provides temporary accommodation for, on average, a further 21 days.

- 1.3.5 The council currently provides temporary accommodation in a range of self-contained, shared, and bed and breakfast type accommodation with some accommodation leased directly from the owners, and the remaining accommodation occupied on a nightly-let basis.
- 1.3.6 The council aims to provide temporary accommodation within Maidstone, however as demand for the service has grown it has become increasingly difficult to procure temporary accommodation locally and it is often the case that accommodation is provided outside of the local Maidstone area. This has further been exasperated by neighbouring local authorities having no bed and breakfast accommodation in their own area placing their homeless applicants in accommodation located in Maidstone.

Demand for temporary accommodation

- 1.3.7 The current economic climate has seen a continued increase in demand for homelessness services during 2011/12, and demand for temporary accommodation is similarly on the rise.
- 1.3.8 Since April 2011, 62% of people coming into the Gateway for housing advice needed to make a homeless application compared with 24% for the same period a year earlier.
- 1.3.9 As the economic climate continues to contribute to increased levels of hardship, it is expected that the number of households presenting to the council as being threatened with homelessness will continue to rise.
- 1.3.10 It is also expected that during 2012/13 the full impact of the housing benefit changes will result in tenant migration from London into Kent which will ultimately result in the displacement of Maidstone residents and further contribute to the incidence of homelessness.
- 1.3.11 The continued economic climate is also a driver for increased levels of domestic abuse which places further pressure on the demand for temporary accommodation. Early analysis of the factors that might be contributing to the increase include mortgage arrears and changes to the benefits regime which is leading to younger generations within households being made homeless, as the family income is reduced.
- 1.3.12 During the period Q1-Q3 2011/12 the council has provided temporary accommodation to some 94 households and this

equates to an estimated 125 households for 2011/2. This compares with 40 households in 2009/10 and 65 households in 2010/11.

- 1.3.13 Nationally there has been a 30% increase in the number of households placed in temporary accommodation by local authorities in the first three quarters of this year compared with the same period in 2010/11.
(www.communities.gov.uk/publications/corporate/statistics/homelessnesssq32011)
- 1.3.14 During this financial year, temporary accommodation has been provided on average for 54 days per household, and is forecast to cost £275k in accommodation charges during 2011/12 before estimated housing benefit payments of £100k.

Options for action

- 1.3.15 A series of management actions have been implemented to improve the efficiency and effectiveness of the Housing Options service to mitigate the exceptional increase in homelessness experienced in Maidstone during this financial year.
- 1.3.16 However, further actions are likely to be required to mitigate the impact on the Council of rising homelessness levels and there are a number of potential options:
- Suspend the Choice Based Lettings scheme for allocating social housing;
 - Undertake a procurement exercise for temporary accommodation;
 - Procure Council-owned temporary accommodation;
 - Further analysis of the causes of homelessness to identify early interventions;
 - Promoting the housing advice service to encourage people to seek assistance before the point of crisis.

Suspension of the Choice Based Lettings scheme

- 1.3.17 Currently the council allocates its nominations to social housing through the Kent Homechoice choice-based lettings scheme (CBL).
- 1.3.18 CBL allows housing register applicants to 'bid' for properties of a suitable size for their household that are available for occupation. Each bidding cycle takes place every fortnight, and once bidding has closed for each cycle, the applicant with the highest priority of housing need (assessed through Council's Allocation Policy 'points' scheme) is offered a tenancy for the property.

- 1.3.19 CBL therefore moves away from the traditional assumptions that housing register applicants will all wait an average time before being offered social housing, and enables applicants who place shrewd bids (i.e. the less desirable properties) the opportunity to access social housing through exercising choice at an earlier point in time.
- 1.3.20 However, CBL does create frustration for housing register applicants, who fail to secure social housing despite high levels of housing need due to the popularity of particular properties they have placed bids on, and this is increasingly the case in Maidstone as demand for social housing continues to increase disproportionately to supply.
- 1.3.21 CBL also relies on a bidding cycle (currently fortnightly) and this builds in delays to the allocation of accommodation. Importantly this impacts negatively on those households living in temporary accommodation, as it has the potential to artificially increase their length of stay in temporary accommodation while the bidding process takes place.
- 1.3.22 Suspension of the CBL process has the potential to enable the Council to better respond to the immediate needs of homeless households and would remove the 'bidding lottery' through a return to a direct allocation model whereby social housing was closely matched to housing need. As a result the Council would be better placed to reduce the length of stay in temporary accommodation for many homeless households.
- 1.3.23 The Council could introduce a hybrid approach, whereby a certain number of direct allocations are made from void social housing stock for homeless households prior to the remaining voids being subject to the CBL process. IN either approach, agreement will need to be obtained from our housing association partners to the temporary suspension of the CBL scheme.

Procuring temporary accommodation

- 1.3.24 Currently temporary accommodation is procured when required and there is a single agreement in place with one provider to lease bed and breakfast and self-contained accommodation to the Council. When this accommodation is fully occupied, officers approach other providers to secure temporary accommodation, again both self-contained and bed and breakfast type accommodation.
- 1.3.25 Inevitably there is considerable variation in the type, cost, quality and location of the temporary accommodation used.

- 1.3.26 Demand across Kent for temporary accommodation is currently so high, that it is becoming increasingly difficult to find accommodation available on demand, and this is becoming unduly burdensome on officer time.
- 1.3.27 One potential solution to this issue is the procurement of temporary accommodation through a framework and/or leasing agreement with local providers.
- 1.3.28 The procurement approach has the potential to reduce costs while promoting the Council's role as probably the largest player in Maidstone's rental market, and hence attracting inward investment into this part of the housing market.
- 1.3.29 Any procurement process could also be the first step towards a Kent-wide temporary accommodation portal that would enable all local authorities across Kent to work together in sourcing and letting temporary accommodation as opposed to the current competitive environment that exists due to demands on individual council services.

Procuring Council-owned accommodation

- 1.3.30 Historically local authorities have operated hostels as a form of temporary accommodation to respond to local homelessness. However, as the demand for temporary accommodation reduced around 10 years ago, the majority of these hostels closed. Indeed in Maidstone, the then Council-owned hostel closed prior to the stock transfer in 2004.
- 1.3.31 Clearly the acquisition of a building and its conversion to provide temporary accommodation is resource intensive; however given the current housing market this has the potential to be a sound investment for the future.
- 1.3.32 Clearly the acquisition of a building and its conversion to provide temporary accommodation is resource intensive; however given the current housing market this has the potential to be a sound investment for the future.
- 1.3.33 Clearly the acquisition of a building and its conversion to provide temporary accommodation is resource intensive; however given the current housing market this has the potential to be a sound investment for the future.
- 1.3.34 Since the Council transferred its housing stock we no longer have operational housing management within the organisation, and any temporary accommodation would need to be run in partnership

with either a housing association, or private housing provider in the temporary accommodation field.

1.3.35 The recent changes to the HRA framework support the Council undertaking such an exercise.

1.4 Alternative Action and why not Recommended

1.4.1 If no actions are taken the Council will be exposed to increased financial risk as demand for temporary accommodation increases.

1.5 Impact on Corporate Objectives

1.5.1 This supports the Council's priority for Maidstone to be a decent place to live.

1.6 Risk Management

1.6.1 If the Council fails in its duty to provide temporary accommodation for certain families there is the risk of challenge by way of judicial review. Homeless families are often well-educated in accessing legal advice either through Shelter or CAB, or through local solicitors.

1.6.2 Where families have incurred additional costs as a result of the Council's failure to provide suitable temporary accommodation the Local Government Ombudsman has the remit to award compensation if the uphold a complaint from the individual concerned.

1.6.3 The statutory guidance states that families with children should only be accommodation in bed and breakfast type accommodation in exceptional circumstances, and in any event for no longer than 6 weeks. Again the Council's failure to meet this suggested time limit may leave the Council vulnerable to challenge.

1.7 Other Implications

1.7.1

- 1. Financial
- 2. Staffing
- 3. Legal
- 4. Equality Impact Needs Assessment

X

5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

1.7.2 Financial implications

1.7.3 The Council has budgeted for temporary accommodation expenditure of £127,200 for the year 2011/12 offset by a related housing benefit income of £61,670 resulting in a net cost of £65,530.

1.7.4 However as at the end of Q3 the net expenditure on temporary accommodation stood at £130,580 and this is forecast to increase to £175,000 by the end of the year.

1.7.5 Given the current economic and climate, it is unlikely that housing need will diminish in the short term without the Council taking fundamental steps designed to minimise expenditure in this area.

1.8 Relevant Documents

1.8.1 Appendices - None

1.8.2 Background Documents - None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because:

.....

Wards/Parishes affected:

.....