

Title: Safe and Legal Cap

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Portfolio Holder: Councillor Paul Wightman

Wards of the District directly affected: All

| <b>Approvals required</b>   | <b>Date</b> | <b>Name</b>    |
|---|-------------|----------------|
| <b>Portfolio Holder</b>   | 25/11/2023  | Cllr. Wightman |
| <b>Finance</b>  |             | Dilip Dabasia  |
| <b>Legal Services</b>   | 24/11/2023  | Kathryn Tebbey |
| <b>Chief Executive</b>  | 24/11/2023  | Chris Elliott  |
| <b>Director of Climate Change</b>   |             | Dave Barber    |
| <b>Head of Service(s)</b>   | Author      | Lisa Barker    |
| <b>Section 151 Officer</b>  | 27/11/2023  | Andrew Rollins |
| <b>Monitoring Officer</b>   | 27/11/2023  | Graham Leach   |
| <b>Leadership Co-ordination Group</b>   |             |                |
| <b>Final decision by this Committee or rec to another Cttee / Council?</b>                  | Yes         |                |
| <b>Contrary to Policy / Budget framework?</b>   | No          |                |
| <b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>        | No          |                |
| <b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b> | No          |                |
| <b>Accessibility Checked?</b>   | Yes         |                |

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## Summary

The purpose of this report is for Cabinet to determine the response to be provided to the West Midlands Strategic Migration Partnership in relation to a government consultation on Legal and Safe routes into the country, and the request to Local Authorities to provide a pledge in respect of housing provision.

## Recommendation(s)

- (1) That Cabinet approve a total pledge of 15 households for the 2024/25 period (8 of which have been previously committed) and thereafter, delegate approval to the Head of Housing, in consultation with the Portfolio Holder for Housing and Assets to determine the levels of pledge in future years, taking into account, the stability of the housing register, homelessness trends and the numbers and cost of households in temporary accommodation.

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## 1. Reasons for the Recommendation

### National Context

- 1.1 Robert Jenrick wrote to all Local Authority Chief Executive Officers on 20/10/23 launching a consultation on a cap on safe and legal routes which closes on 15/12/23.
- 1.2 The cap will be set on an annual basis, to be determined after consultation with representatives of local authorities. It will be amendable for example in the event of humanitarian crises. An annual limit on the number of entrants will ensure the UK accepts through safe and legal routes no more people than can be accommodated and supported effectively. The Illegal Migration Act requires that before setting the cap, the Home Secretary must consult:
  - in England and Wales and Scotland, such representatives of local authorities as the Secretary of State considers appropriate,
- 1.3 The consultation is aimed at local authorities who provide housing or support to resettled individuals in the UK. Local authorities should work with relevant bodies who provide wraparound services in compiling their responses, such as Integrated Care Boards, as well as with Voluntary and Community Sector Organisations, and Community Sponsorship Groups in their areas.

### Safe and legal routes

- 1.4 The UK currently operates seven safe and legal routes. These include resettlement schemes such as the UK Resettlement Scheme (UKRS) and Community Sponsorship, as well as bespoke routes for individuals from Afghanistan, Ukraine, Hong Kong and the close family members of refugees. Under the UK's safe and legal routes, eligible individuals access them through an application or referral process made overseas. This means when they arrive in the UK their status already determined.

### Local position

- 1.5 Warwick District Council has made previous pledges over time to support families under the UKRS and Afghan schemes. These pledges were for 29

families and to date, have enabled 21 families to be provided with accommodation in Warwick District however there are a further 8 families to be accommodated before our previous pledges are complete.

## UKRS

| Area          | Pledge (over 4 years) | Number of families in 1 year | Numbers resettled since April 2022: | Number of families still to be to be resettled |
|---------------|-----------------------|------------------------------|-------------------------------------|--|
| Warwick       | 4 families            | 1                            | 1                                   | 2  |
| <b>Total:</b> | <b>4</b>              | <b>1</b>                     | <b>1</b>                            | <b>2</b>                                       |

## Afghan Schemes (ARAP/ACRS)

| Area          | Pledge    | Numbers July 2021 to March 22 | Numbers April 22 to March 23 | Numbers resettled since April 2023 | TOTAL TO DATE | Available Property to be matched   | Number of families still to be resettled |
|---------------|-----------|-------------------------------|------------------------------|------------------------------------|---------------|--|--|
| Warwick       | 25        | 7                             | 9                            | 3                                  | 19            | 2LAHF properties Phase 1<br>4 LAFH properties phase2<br>2 Properties for the families at the temporary accommodation<br>One LAHF matched waiting for the formal offer. | 6  |
| <b>Total:</b> | <b>25</b> | <b>7</b>                      | <b>9</b>                     | <b>3</b>                           | <b>19</b>     |  | <b>6</b>                                 |

- 1.6 The Council has received funding from the Department for Levelling Up Housing and Communities (DLUHC) to support the purchase of 27 family homes to
- Provide sustainable housing to those on Afghan resettlement schemes at risk of homelessness so that they can build new lives in the UK, find employment and integrate into communities.
  - Reduce local housing pressures beyond those on Afghan resettlement schemes by providing better quality temporary accommodation to those owned homelessness duties by local authorities.
  - Reduce emergency, temporary and bridging accommodation costs.
  - Reduce impact on the existing housing and homelessness systems and those waiting for social housing.
- 1.7 The LAHF was launched on 14 December 2022. The details of the fund were shared with the Council in the document 'Local Authority Housing Fund – Prospectus and Guidance' ('the Prospectus'). It is a £500m capital grant fund to support local authorities in England to provide sustainable housing for those unable to secure their own accommodation i.e. Afghan and Ukrainian refugees.

In March of this year a report to Cabinet set out that DLUHC had awarded Warwick District Council £2,820,431 to purchase:

- 19 properties for households that meet the eligibility criteria referred to as the 'the main element';
- 2 x 4 bed properties to be allocated to households currently in bridging accommodation referred to as the bridging element.

- 1.8 A further Cabinet report in July 2023, sought approval for a second grant award of £919,200 from a national award of £250 million to support the purchase of 6 properties to provide sustainable housing primarily for Afghan families seeking refuge in the area.
- 1.9 There is a risk that any additional pledge will impact upon the ability to accommodate homeless households, meaning that greater numbers of homeless households will need to remain for longer periods in temporary accommodation, thereby incurring costs to the General Fund. By far the highest numbers of households in temporary accommodation are single person households who require one bedroomed accommodation which is in high demand. The risks would be mitigated by stipulating that any additional pledge is for families only, as family housing is in greater supply.
- 1.10 Whilst previous pledges have totalled 29 family households, it should be noted that DLUHC funding has enabled the provision of 27 new homes therefore ameliorating the impact on the availability of stock locally that is available for families on the housing register including those who might be homeless.
- 1.11 At the time of writing, there were 48 households in Temporary Accommodation of which 14 are family households requiring 2+ bedroomed accommodation, and 34 are couples or single person households requiring one-bedroomed accommodation.
- 1.12 There is also higher demand for larger, 4+ bedroomed properties and waiting times for these property types can be longer than for 2 and 3 bedroomed properties.
- 1.13 It is therefore proposed that a further modest pledge of a further 7 family homes is made, stipulating no single persons or large families. This would mean that the refreshed pledge for Warwick District Council would be 15 family homes.
- 1.14 Members will be kept informed of future pledges

## **2. Alternative Option**

- 2.1 The Council could choose not to take part in the government consultation although this could damage the Council's reputation and/or lead to numbers being imposed and therefore this option has been discounted.

## **3.0 Legal Implications**

- 3.1 The Illegal Migration Act 2023 places a duty on the Secretary of State for the Home Department to introduce an annual cap on the number of entrants using safe and legal routes to the UK. Section 60(2) of the Act requires the Secretary of State to consult certain bodies before introducing such a cap, save for

matters of urgency. As part of the process of determining the cap, the Government is requesting all Local Authorities to put forward an offer of accommodation which could be made available. It is for the Home Office to determine the status of applications made by people seeking asylum.

- 3.2 Ordinarily, asylum seekers are placed in dispersed accommodation arranged by the Home Office until such time as the Home Office determine the status of their application. Once applicants have a positive decision, they are provided with a notice to leave that accommodation within 28 days. If they require settled housing in the area, applicants can approach the Council and apply for Housing under the provisions of the homelessness legislation.

#### **4 Financial Services**

- 4.1 There are no financial impacts for the Council over and above the costs associated with placing households into accommodation. Thereafter, costs are met through rents and Council Tax as with any other household.
- 4.2 The resettlement tariff is provided on a per capita basis to County or Unitary 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.
- 4.3 In line with the statement of outcomes outlined in the relevant published Funding Instruction, local partners are expected to use this tariff funding to support families' immediate integration needs as they settle into their local communities and work towards self-sufficiency. These services include, but are not limited to, provision of:
- affordable and sustainable accommodation, which is furnished appropriately, meets local authority standards, and is available on a family's arrival and/or relocation to the local authority area.
  - casework support, focused on advice and support to assist with registering for mainstream benefits and services, and signposting to other agencies where appropriate.
  - a tailored integration support plan for each family or individual for the first year after arrival to facilitate their integration and orientation into their new home/area.
  - educational places for children of school age.
  - English language training for adult refugees, to facilitate their progress towards the level of proficiency needed to function in their everyday life and work towards self-sufficiency.
- 4.4 ESOL (English as a Second Language) Childcare fund is available, to which local authorities, Community Sponsorship groups and regional coordination bodies may submit proposals for delivering measures aimed at enabling resettled refugees, particularly those with childcare and other caring responsibilities, to participate in ESOL training.

#### **5 Corporate Strategy**

- 5.1 WDC has adopted a Corporate Strategy which sets three strategic aims for the

organisation.

- 5.2 Delivering valued, sustainable services: There are no direct implications for the purpose of this report.
- 5.3 Low cost, low carbon energy across the district: There are no direct implications for the purpose of this report.
- 5.4 Creating vibrant, safe, and healthy communities of the future: Households fleeing their home countries form some of the most vulnerable and marginalized groups in society. By providing safe, secure, good quality accommodation alongside support, households can be assisted to fully integrated and improve health outcomes and life chances.

## **6 Environmental/Climate Change Implications**

- 6.1 There are no direct implications for the purpose of this report.

## **7 Analysis of the effects on Equality**

- 7.1 Not applicable at this stage.

## **8 Data Protection**

- 8.1 Not applicable at this stage.

## **9 Health and Wellbeing**

- 9.1 Included under 5.4.

## **10 Risk Assessment**

- 10.1 There could be impacts upon stock available for homeless households, meaning that greater numbers of homeless households will need to remain for longer periods in temporary accommodation, thereby incurring costs to the General Fund. By far the highest numbers of households in temporary accommodation however are single person households who require one bedroomed accommodation. The risks are mitigated by stipulating the pledge is for families only, as family housing is in greater supply.
- 10.2 There are generic risks around letting homes to migrants including local support and cultural infrastructure, historic incidents of racially aggravated crime. These matters will be taken into account with by officers at the Warwickshire Refugee Resettlement Scheme, part of Warwickshire County Council, being consulted when assessing the suitability of properties.

## **11 Consultations**

Warwickshire County Council (WCC) has been consulted in the process of determining the pledge number. WCC has, in turn, consulted on behalf of all Warwickshire Districts and Boroughs with local statutory and voluntary sector organisations.

### **Supporting documents:**

**Local Authority Housing Fund Award- report to Cabinet 8<sup>th</sup> March 2023**

**Local Authority Housing Fund Award Round- 2 report to Cabinet 5<sup>th</sup> July 2023**

**Background papers: None**