

 EXECUTIVE June 2011		Agenda Item No. 13
Title	Severe Weather Emergency Provision for Homeless Households	
For further information about this report please contact	Emma Chong x 6429 Satnam Kaur x 6422	
Wards of the District directly affected	District Wide	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	NO	
Date and meeting when issue was last considered and relevant minute number	Full Council meeting on 9 th March 2011. Minute number 98.	
Background Papers	Severe Weather Emergency Provision Procedure	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	Yes

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive	05/05/2011	Chris Elliot
Deputy Chief Executive	05/05/2011	Bill Hunt
Deputy Chief Executive	05/05/2011	Andy Jones
Head of Finance	05/05/2011	Mike Snow
Legal	09/05/2011	Max Howarth
Finance	09/05/2011	Sandra Jones
Portfolio Holder(s)		Cllr Norman Vincett
Consultation & Community Engagement		
Officers from Warwick District Council met with Cllr Tyrell and the Night shelter on 21 st March 2011.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 This report is in response to the motion that was put forward to full council on 9th March 2011 which stated,

"This Council believes that: The residence criteria used by this Council disadvantages rough sleepers seeking emergency accommodation in very cold weather.

This Council therefore resolves to:

Instruct the Head of Housing and Property Services to replace the local connection section of the Severe Weather Emergency Procedure (SWEP) eligibility criteria, *section "b) Whether the person has a local connection with Warwick District Council (as defined in the homelessness legislation);"* with new section b) Whether the person has a letter of eligibility from the Salvation Army or the Leamington Night Shelter."

2. **RECOMMENDATION**

- 2.1 To maintain the current residence criteria by which the local authority assesses the eligibility of rough sleepers and provides accommodation under SWEP.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 All neighbouring authorities in the County have provision in place to accommodate rough sleepers during periods of severe weather with the exception of Stratford DC. As all local authorities should be providing this service there is no reason for a person without a local connection to approach Warwick District Council.
- 3.2 If we were to change the eligibility criteria and open the service out to anyone regardless of whether they have a local connection, it is likely that we would end up placing rough sleepers from neighbouring authorities such as Coventry and Birmingham who are not operating SWEP provisions. The CLG strongly advocate that all local authorities should be providing emergency accommodation for rough sleepers during these periods. Therefore every rough sleeper should be provided for by the relevant authority.
- 3.3 Although the recommended option maintains the status quo, Warwick District Council takes a pragmatic approach to the issue of local connection. During 2010/2011 2 individuals without a local connection were referred to the service. They were both placed for one night and advised to approach their 'home' district the following day.
- 3.4 The risk of not approving the recommendation is that it could result in people who are not rough sleepers accessing the service. Though the Salvation Army and the Night shelter work closely with people who sleep rough there are also a number of individuals who engage with their services who are not rough sleepers.
- 3.5 The advantage of proceeding with the recommendation is that Housing Advice have access to a number of systems and are able to make the necessary checks; we are able to establish whether an individual has access to alternative accommodation. During the last period we received a referral from the

Salvation Army but we were able to ascertain that this particular individual was not a rough sleeper and was in fact a tenant of a Warwick District Council property.

- 3.6 Maintaining the current residence criteria in house allows the Council to provide wraparound support for the customer at the point of access. The SWEP provisions enable rough sleepers to access assistance in terms of move on and resettlement. It is imperative for rough sleepers to be accommodated in their local area in order that they maintain links with any services they may already be engaging with. If we were to accept individuals who do not have a local connection this could have an adverse impact on the individual and we could be setting people up to fail.

4. **POLICY FRAMEWORK**

4.1 The Homelessness Strategy 2010-2015:

- Ensuring accessible and effective homelessness and housing advice services.
- Preventing homelessness
- Provide suitable temporary accommodation for homeless households
- Provide appropriate support for vulnerable people.

4.2 The Sustainable Community Strategy 2009-2026

- Everyone's housing needs are met
- Reduce and prevent homelessness
- Make homes sustainable
- Support independent living
- Citizens are actively engaged in decision making and participate fully in community life

4.3 **Fit for the Future** – The procedure contributes to the vision of making Warwick District a great place to live work and visit by:

- Protecting our communities from harm with an emphasis on the prevention of incidents whilst focusing on the most vulnerable to make them feel safer.
- Everyone is able to enjoy a healthy lifestyle and sense of well being.

5. **BUDGETARY FRAMEWORK**

5.1 There is no specific budget for SWEP, any costs come from the Bed and Breakfast budget which is £3500.

- 5.2 Bed and Breakfast has been used as emergency accommodation for the SWEP provision. In 2009/2010 there were 3 periods of severe weather, 10 individuals were placed at a cost of £2290. 2010/2011 during 2 periods of severe weather, 8 individuals were accommodated at a cost of £2170. The overall budgetary situation is shown below:-

	2009/10	2010/11
	£	£
Bed and Breakfast Original Budget	3,400	3,400
Cost of SWEP	2,290	2,170
Other B&B Expenditure	3,635	3,052
Total Expenditure	5,925	5,222

Note – the 2010/11 was increased to £5,000 as part of the Revised Estimates.

5.3 If the eligibility criteria were to be amended as proposed at full Council without an alternative being put in place other than Bed and Breakfast this could have a dramatic impact on the general fund. It would be necessary for the Council to agree to additional resources being put into this budget on a permanent basis. The Council is having to secure savings and efficiencies of £2.9m on a net budget of £18m over the next five year. Any increased financial commitments will make the savings target that much greater.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

6.1 Replace the local connection section of the SWEP eligibility criteria, 'Whether the person has a local connection with Warwick District Council (as defined by the homelessness legislation)' with 'Whether the person has a letter of eligibility from the Salvation Army or Leamington Night Shelter.'

The reasons for not supporting this are:

- a) If we were to change the criteria it is likely that we would end up placing rough sleepers from neighbouring authorities.
- b) As the Salvation Army and Night shelter are accessed by individuals who are not rough sleepers there is the potential that people who do not require the service could be housed.

6.2 Further to the motion officers from the Council met with the Night shelter and Councillor Tyrell on 21st March 2011, the following additional option was proposed:

Warwick District Council should have no involvement in either the assessment or provision of accommodation for rough sleepers during these periods. Service users would approach the Night shelter directly who in turn would set the eligibility criteria and provide the accommodation.

The Reasons for not supporting this are:

- a) In September 2010 Housing Strategy approached a number of organisations in an attempt to identify suitable accommodation that could be used as a night shelter for SWEP. As part of this process we discussed the possibility of the Night shelter extending their current provision from 2 nights a week to 7. The Night shelter responded that they would be willing to go ahead however they were unable to identify a suitable space. Without the availability of suitable accommodation this option could not be delivered.

- b) Although the Night shelter propose that they are able to provide this service at no cost this would be dependent on securing suitable free accommodation.
- c) A risk with this option is that the Night shelter could be accommodating those individuals who have a local connection to other authorities and in turn impacting on the capacity to house those with a local connection to Warwick District and preclude their access to services.

7. **BACKGROUND**

- 7.1 The CLG recommends that when night time temperatures are predicted to be zero or below for 3 consecutive nights all Local Authorities should put provision in place to accommodate rough sleepers.
- 7.2 Warwick District Council introduced Severe Weather Emergency Provision in January 2009 which can be accessed either through a referral from the Salvation Army or by approaching Housing Advice directly. Once a referral has been received Warwick District Council will establish whether the local authority has a statutory duty under the homelessness legislation to provide accommodation.
- 7.3 If the rough sleeper does not meet the priority need criteria as defined by homelessness legislation, then the officer will determine:
 - a) Whether the person has anywhere to sleep that night other than outside ('outside' includes cars, sheds and garages.
 - b) Whether they have a local connection (as defined by homelessness legislation)
 - c) Whether they are likely to be considered as intentionally homeless (as defined by homelessness legislation).
- 7.4 Once the officer has established the individual's eligibility, one of the following is offered:
 - a) If the applicant has nowhere to sleep and has a local connection, emergency accommodation will be provided.
 - b) If the applicant has nowhere to sleep and has a local connection but is considered to be intentionally homeless, emergency accommodation may be provided, depending on the outcome of the risk assessment.
 - c) If the applicant has nowhere to sleep and does not have a local connection, he/she will be advised to approach their 'home authority'. May be accommodated for one night by WDC depending on their circumstances.
- 7.5 Since SWEP has been in place Warwick District Council have accommodated all rough sleepers who have been referred to the service.
- 7.6 In March 2011 a proposal was put forward to change the criteria, in order to understand the reasons for this motion Council Officers met with the Night shelter and Cllr Tyrell.

- 7.7 For the reasons outlined in the report it is considered reasonable for the Council to continue with the current procedure.
- 7.8 Whilst at present this is not considered to be a feasible option at present, dialogue will continue with the Night shelter in order to progress this.