

FAREHAM

BOROUGH COUNCIL

Report to Health and Housing Policy Development Review Panel

Date **12 September 2013**

Report of: **Director of Community**

Subject: **DISCHARGING THE HOMELESSNESS DUTY THROUGH
ACCOMMODATION IN THE PRIVATE RENTED SECTOR**

SUMMARY

The Localism Act 2011 introduced significant changes to the way in which local authorities can deal with applications for social housing and homelessness. Effective from 9 November 2012, the Act enables local authorities to end the main homelessness rehousing duty through an offer of accommodation in the private rented sector.

RECOMMENDATION

The Panel is asked to approve the policy to enable the Council to discharge its homelessness duty into the private rented sector.

INTRODUCTION

1. The demand for social rented accommodation outstrips supply with over 1300 households on the Housing Waiting List and over 1,000 approaches for housing advice a year. The Council has for many years now, been actively engaging with private landlords to place those who are homeless or threatened with homelessness into the private rented sector with their consent
2. The Council has various duties under the homelessness legislation (Housing Act 1996 Part 7). The main homelessness duty requires the council to secure accommodation for households that are eligible for assistance, homeless through no fault of their own, in 'priority need' e.g. families with dependent children, those who are considered vulnerable for some reason and who have a local connection to the district. Historically, households could turn down offers of suitable private rented sector accommodation and await an offer of social housing, whilst being housed in temporary accommodation provided by the Council.
3. The Localism Act contains powers to allow local authorities to end the main homelessness duty with an offer of private rented accommodation, with a minimum 12 month assured shorthold tenancy, without requiring the applicant's consent.

INTRODUCING THE POWER

4. Having the ability to discharge the Council's homelessness duty into the private rented sector will provide the Council with more accommodation options to offer to a household to whom a homelessness duty has been accepted. This should result in homeless families having a shorter stay in temporary accommodation and often avoiding the need to go into temporary accommodation in the first place.
5. There are various conditions that need to be met in order to discharge the Council's homelessness duty in this way and the policy at Appendix A sets these out in detail.
6. As part of the review of temporary accommodation, the ability to secure suitable accommodation in the private rented sector that complies with the Homelessness (Suitability of Accommodation) (England) Order 2012, has been considered and proposals to develop a new approach to attract private landlords is being pursued. (See Review of Temporary Accommodation Report on this agenda)

RISK ASSESSMENT

7. Deciding not to adopt the power could result in the increase in demand for temporary accommodation along with households staying in temporary accommodation for longer periods of time, placing increasing pressure on the Housing Options Service.

CONCLUSION

8. By adopting the Policy, the Council will have the opportunity to work more closely with private sector landlords to secure suitable accommodation for statutory homeless households. This will mean fewer households will need to go into temporary accommodation and those that do, will be able to move on within relatively short timescales, compared to the current average move on time.

Appendices:

Appendix A – [Policy to discharge homelessness duty into the Private Rented Sector](#)

Background Papers:

Reference Papers:

Enquiries:

For further information on this report please contact Sara Head. (Ext 4369)