

Birmingham City Council

Report to Cabinet

13 October 2020



Subject: Next Steps Accommodation Programme
Report of: Acting Director Neighbourhoods
Relevant Cabinet Member: Councillor Sharon Thompson, Cabinet Member Homes and Neighbourhoods
Relevant O &S Chair(s): Councillor Penny Holbrook, Housing and Neighbourhoods Overview and Scrutiny Committee
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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007961/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report seeks retrospective authority to have bid for and accept rough sleeper grant funding from Ministry of Housing Communities and Local Government (MHCLG) as part of the governments 'next steps' accommodation programme to undertake targeted intervention activity to directly combat rough sleeping in the city.
- 1.2 The report also contains the outcome of the revenue elements of this bid, as announced on 17th September 2020.

2 Recommendations

2.1 Cabinet are recommended to

- Retrospectively approve the grant bid submission and approve the acceptance of MHCLG Rough Sleeper 'next steps' funding see appendix 1 for totals and breakdown.
- Note the initial projects and interventions where the funding will be directed

3 Background

3.1 On 18th July 2020, the Ministry of Housing, Communities and Local Government (MHCLG) announced new funding for the Next Steps Accommodation Programme (NSAP). The programme and fund have been created to ensure that as few individuals as possible return to rough sleeping following an initial period of accommodation in response to COVID 19 pandemic which saw nearly 15,000 people brought into temporary accommodation. There are 3 key strands to the funding prospectus which is required to be submitted by 20th August 2020, with announcements on funding expected late September. The 3 strands are:

3.2 *Short-term/interim accommodation and immediate support. This part of the fund (£105m) is to be used for immediate support for local authorities. It can be used for a range of interventions including planned transition to more sustainable interim accommodation until longer-term move-on accommodation is put in place and supporting individuals to reconnect with friends or family. It is revenue-only funding and needs to be utilised in 2020/21.*

3.3 *Long-term move on accommodation. This part of the programme is made up of £130m capital funding and £31m revenue funding and it needs to be used in this financial year with the aim to deliver 3,300 units of longer term, move on accommodation. The national fund is specifically aimed at rough sleepers in hotels.*

3.4 *Funding for drug and alcohol treatment. MHCLG and the Department of Health and Social Care (DHSC) have also announced funding for 2020/21, which can be used for drug and alcohol treatment services. Whilst linked, this does not form part of the Next Steps Accommodation Programme and will be administered separately by Public Health England. The aim is to ensure that the engagement people have had with drug and alcohol treatment whilst in emergency accommodation is maintained as they move into longer-term accommodation.*

3.5 Birmingham has a strong history of preventing and relieving rough sleeping across the city. In the early 2000's rough-sleeping, through concerted partnership working and resources, was reduced to, and maintained in single figures through to 2010. At this time rough sleeping in Birmingham and nationally increased, to a peak in Birmingham where the rough sleeper count of 2018 found 91 individuals bedded down on the streets of Birmingham on one night. The rough sleeper count of 2019 saw this figure reduce to 52. Commissioning mobilised in December 2019 restructured and increased outreach capacity and other services as part of the pathway to prevent and relieve rough sleeping.

- 3.6 At the start of 'Everyone In' BCC appraised our accommodation capacity to meet short-term and intermediate needs. A need for additional capacity was identified, so for the period April – mid June 2020 BCC commissioned 70 units of accommodation at the Holliday Inn hotel. All those accommodated were moved on into supported tenancies, long-term supported housing, emergency accommodation, complex needs accommodation, friends, family and other solutions. In total BCC has provided accommodation and subsistence to over 240 single people, including 130 people deemed to be No recourse to public funds (NRPF) in response to the 'everyone-in' COVID 19 direction issued by the Government in their letter dated 26th March 2020. There are 78 remaining currently accommodated in a variety of ways as described in Appendix 1. An exit strategy in respect of such individuals will be required.
- 3.7 Over 600 single people presented to BCC officers as homeless April – June via additional Housing Options provision. Nationally over 15,000 people have been accommodated through 'everyone-in' and the government is keen to avoid a return to rough sleeping for those accommodated, and also to work towards the target of zero rough sleeping by 2024. The Next Steps Accommodation Programme (NSAP) seeks to ensure that as few individuals as possible return to the streets and that services are in place to provide for all those who have remained or fallen onto the streets. This is an excellent opportunity to strengthen the provision to prevent and relieve rough sleeping.
- 3.8 It is clear that prevention is much better than having to relieve rough sleeping. On this basis the Birmingham submission to the NSAP seeks to prioritise – those currently temporarily housed; people presenting as homeless and needing an accommodation offer to prevent rough sleeping; people needing support and protection in non-commissioned accommodation; rough sleepers with the greatest health and welfare vulnerabilities; and those in low paid work needing access to affordable accommodation. While gains have been made, there remain 20-30 people sleeping on the streets on any one night and a daily flow of new presentations needing to be helped. This funding presents a key opportunity to progress the work.
- 3.9 Birmingham has been praised by MHCLG for its response to homelessness and rough sleeping during Covid-19 and remains a priority area to be supported in tackling rough sleeping. The NSAP in 2020-21 seeks to tackle some of the consequences of Covid-19 and should be followed by a wider Rough Sleepers Initiative programme for subsequent years, which should provide for a sustainable continuation of this work
- 3.10 The Next steps bid to MHCLG and proposed Revenue and Capital interventions is now required to take forward the work undertaken to date to assist some of the most vulnerable citizens in Birmingham and are or at risk of rough sleeping.
- 3.11 Delivery plan – The breakdown of proposed revenue and capital requirements is contained within appendix 1.

3.12 Summary of revenue projects.

- *Meeting the cost of accommodation and subsistence for those who are NRPF with an exit strategy including a provision around use of 'suspension of derogation to EEA economic migrants. Including cost of ongoing immigration advice and support via the Preventing Crisis consortium.*
- *Strengthening the Housing Options capacity delivered to prevent and relieve homelessness amongst single people by embedded workers in Sifa-Fireside daycentre and Trident-Reach outreach and accommodation pathway.*
- *Support follow-up to single homeless referred into non-commissioned exempt supported accommodation to seek successful transition from homeless presentation.*
- *Inspection and improvement capacity for non-commissioned exempt supported accommodation, to promote best and deter worst provision.*
- *Revenue for support service at Transition Centre – accommodation and support service for 11-14 most vulnerable rough sleepers, presenting with substantial health and care needs.*

3.13 Summary of Capital projects

- BCC supporting capital proposal from Trident Reach for works to 11 bed care home to be utilised as Transition Centre. Funds to go direct to Trident Reach.
- BCC supporting capital proposal from St Peter's RSL on behalf of Spring Housing for the refurbishment of 13 units of accommodation. Currently exempt-supported, to be made social rents, currently shared facilities to be made self-contained.
- BCC supporting Trident Reach proposal to increase capacity at Washington Court by increasing to 10 couple's rooms, and overall increasing capacity from 105 individuals to 111 individuals
- BCC will support bid by WMCA/Citizen Housing for capital in order to purchase 1-bedroom flats from the private market, to be provided as social housing dedicated to rough sleeper needs, following the Housing First model. Indicatively 10 units for 2020-21, with proposal to increase to 42 p.a. for years 2021-24.
- BCC will also indicate to MHCLG that further capital projects which would deliver in subsequent years are being developed by organisations including YMCA and Spring Housing

3.14 *Following successful response to the Phase 1 and Phase 2 Covid funding within the Council, there are wider revenue items that the council have committed to for the transitioning through and out of Covid, that have the opportunity to be continued seamlessly into NSAP and then Rough Sleeping Initiative (RSI) as it becomes available. Some elements are mobilised already, others will be developed in consultation with Adult Social Care, for example strengthening the Housing Options*

Centre offer to single people and building effective engagement with the non-commissioned exempt supported sector.

4 Options considered and Recommended Proposal

- 4.1 *Do nothing – BCC will remain with a current burden relating to accommodation and subsistence and will be under-resourced in preventing and relieving rough sleeping.*
- 4.2 *Any other options? No other options have been identified. Other funding relating to substance misuse treatment for rough sleepers is expected via Public Health England, so that aspect of need has not been included in the NSAP bid.*
- 4.3 *It is recommended – that this proposal is supported.*

5 Consultation

- 5.1 *MHCLG expects local authorities to design bids for accommodation and support services through a coproduction process. To achieve this the opportunity and an outline of the approach has been discussed at the Birmingham Homelessness Partnership Board both in July and August 2020, as well as the Rough Sleeper Action Group, and the Birmingham Homelessness Forum. An invitation was extended through the Homelessness Partnership Board to any partners wishing to put forwards proposals for consideration as part of the bid.*
- 5.2 *For the region the Next Steps Accommodation programme has been discussed at the Homelessness Taskforce and the Rough Sleeper Task Group. Through this channel each local authority has outlined their approach as well as agreeing a proposal to work together. The Members Advisory Group (MAG) of the Homelessness Taskforce also received an outline of the regional approach to Next Steps.*

6 Risk Management

- 6.1 *See attached Risk register in Appendix 2.*

7 Compliance Issues:

- 7.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**
- 7.2 *The Homelessness Prevention Strategy and related Rough Sleeping Addendum set out the commitment to prevention of homelessness and the ways in which this is to be achieved. The Rough Sleeping Addendum specifically includes many of the components found in the NSAP bid.*

All reports must specify how the proposal supports the delivery of one or more of our Council Priorities as set out in the Birmingham City Council Plan 2018 – 2022. In addition, you should be mindful of the council's wide range of other policies, plans and strategies and make reference to these as required. Any positive or negative implications in relation to these policies, plans and strategies should be fully explained within the report.

7.3 Legal Implications

7.3.1 The Homelessness Reduction Act 2017 amends the Housing Act 1996 Part VII and placed new duties on local authorities. It came in to force in April 2018 (with limited exceptions). The Act requires local authorities to assess an applicant's needs and to prevent and relieve homelessness.

7.3.2 The Homelessness Act 2020 introduced the requirement on local authorities to regularly review the levels (and likely future levels) of homelessness in their areas, and to formulate a homelessness strategy.

7.3.3 On 26th March 2020, Luke Hall, Minister for Local Government and Homelessness, wrote to local authorities in England to ask them to 'bring in rough sleepers and other vulnerable homeless people, including those with NRPF', to appropriate accommodation by the end of the week. The Minister said that, as part of this response, local authorities should "utilise alternative powers and funding to assist those with no recourse to public funds who require shelter and other forms of support due to the COVID-19 pandemic".

7.3.4 On 28th May 2020, Luke Hall again wrote to local authorities in England to advise them about "Moving onto the next phase of accommodating rough sleepers". With regard to those with NRPF, the letter said the following:

"The law regarding that status remains in place. Local authorities must use their judgment in assessing what support they may lawfully give to each person on an individual basis, considering that person's specific circumstances and support needs "

7.3.5 A person with NRPF - 'a person subject to immigration control' - is prohibited from accessing specified welfare benefits and public housing as set out in the Immigration and Asylum Act 1999 and Paragraph 6 of the Immigration Rules. This includes a prohibition of access to local authority homelessness assistance. The provision of public housing under Part VII of the Housing Act 1996 and under Part II of the Housing Act 1985 is also prohibited.

7.3.6 Local Authority care and support is not a prohibited benefit, but immigration legislation requires that care and support can only be provided to various categories of people who are subject to NRPF if not to provide the care and support would breach the person's Human Rights. This remains the relevant law at the present time

7.4 Financial Implications

7.4.1 The bid includes an overall Capital element of £622,680 as detailed in the appendix 1. and revenue of £1,081,000 2020-21 all of which will be met from MHCLG/Homes England. This is also true for revenue related to capital through to 2024. An already approved amount from Adult Social Care is offered as evidence of Birmingham's commitment and investment, this is for the Adult Transition Centre and is £54,000 2020-21 and £163,000 p.a. in subsequent years.

7.4.2 Capital is passported direct to providers whereas the revenue is to be utilised directly by the council. The revenue bid includes staff costs for a period of 12 months – we have received confirmation from MHCLG that full year costs for posts can be included.

7.4.3 The overall Revenue element of the bid in Appendix 1 is £1,081,000 2020-21. On 17th September 2020 MHCLG announced the revenue allocations from the NSAP, Birmingham being awarded £595,000.

7.4.4 Appendix 1 shows the elements awarded, those not awarded and those capital items (and revenue items linked to capital) for which a decision is awaited, and expected prior to the end of September 2020.

7.5 Procurement Implications (if required)

7.5.1 Commissioners in Adult Social Care are engaged in the content of this bid including revenue aspects requiring procurement/commissioning.

7.6 Human Resources Implications (if required)

7.6.1 Roles within BCC are being initially specified as agency – Housing Option Centre officers and Inspection Officers, with objective to secure longer-term funding commitment to make either fixed term or permanent roles.

7.7 Public Sector Equality Duty

The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information. If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated.

7.7.1 See appendix 3 & 4

8 Background Documents

8.1 MHCLG Next Steps Programme Guidance, appendix 5

List of appendices accompanying this report:

1. Appendix 1 - Delivery table
2. Appendix 2 – Risk Assessment
3. Appendix 3 – Equality Act
4. Appendix 4 – Public Equality Assessment
5. Appendix 5 – Programme Prospectus

<https://www.gov.uk/government/publications/next-steps-accommodation-programme-guidance-and-proposal-templates>