

SUBJECT:	Chiltern District Council and South Bucks District Council Temporary Accommodation Framework
REPORT OF:	Councillor Paul Kelly – Portfolio Holder for Healthy Communities
RESPONSIBLE OFFICER	Martin Holt – Head of Healthy Communities
REPORT AUTHOR	Michael Veryard – Housing Manager
WARD/S AFFECTED	All

1. Purpose of Report

To put forward a draft framework document setting down the principles and process for identifying, securing and allocating temporary accommodation to meet the Council's statutory duties under Part 7 of the Housing Act 1996.

RECOMMENDATION

1. That Members consider the draft Temporary Accommodation Framework Document and provide comments as appropriate.
2. The Cabinet authorises the Head of Healthy Communities to publish and implement a finalised Temporary Accommodation Framework Document in consultation with the Portfolio Holder for Healthy Communities

2. Reasons for Recommendations

The recommended actions will ensure that the Council is compliant with the advice of the Supreme Court and has a clear framework for fulfilling its temporary accommodation duties at a time of high demand.

3. Content of Report

- 3.1 Under Part 7 (Homelessness) of the Housing Act 1996, the Council has a statutory duty to secure temporary accommodation for homeless households in a range of circumstances. In 2015, the Supreme Court in the case of *Nzolameso v Westminster City Council* advised that each local housing authority should have a clear statement on how it secures and allocates temporary accommodation. As part of the development of the joint Chiltern District Council and South Bucks District Council Homelessness Strategy, the framework document in the Appendix has been drafted to provide a clear statement to Members, officers, clients and partner agencies on how the Council delivers temporary accommodation to fulfil its Part 7 duties.
- 3.2 The Council's duties under Part 7 (Homelessness) of the Housing Act 1996 are delivered by the shared housing service. The Framework document has been drafted as a joint document to be shared by Chiltern District Council and South Bucks District Council. Each Council retains its own separate statutory responsibility to fulfil its duties under Part 7. The draft document is also being presented to Members at Chiltern District Council for consideration.
- 3.3 The adoption of this Framework Document will ensure that the Council has a transparent and consistent approach to delivering temporary accommodation (at a time of high demand) and

that it is compliant with the Supreme Court advice. The document will be incorporated into the wider joint Homelessness Strategy that is currently under development.

3.4 The document will be reviewed on an annual basis and will be reported back to Members if significant changes are identified as being required.

4. Consultation

Not applicable

5. Options

5.1 Option 1 – Agree and adopt the Temporary Accommodation Framework document

The reasons and benefits of this are set down in the report above and in the draft document in the Appendix.

5.2 Option 2- Do not adopt a Temporary Accommodation Framework

If the Council does not adopt a Temporary Accommodation Framework, it will leave the authority vulnerable to challenge by the Ombudsman and the Courts if a client considers that the Council has not fulfilled its statutory homelessness duties correctly. The current Homelessness Reduction Bill is also likely to result in a wider temporary accommodation duty for the Council and will increase the importance of having a clear and consistent Temporary Accommodation framework.

6. Corporate Implications

6.1 Financial

The report has no additional financial implications with regard to current expenditure on temporary accommodation. Any proposals for securing additional temporary accommodation that have additional financial implications will be reported to Members separately for consideration.

6.2 Legal

The Framework Document will ensure that Council is seen to be complying with the advice of the Supreme Court and clearly demonstrating that it is meeting its temporary accommodation duties under Part 7 of the Housing Act 1996.

7. Links to Council Policy Objectives

"We will work towards safer and healthier local communities"

8. Next Step

Following agreement it will be recommended to Cabinet that the Framework Document is implemented. Officers will continue to progress the development of the joint Homelessness Strategy and will report this to Members for consideration. The Framework document will be incorporated in the joint Homelessness Strategy.

Background Papers:	It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services)
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