WRITTEN EVIDENCE FROM EAST AYRSHIRE COUNCIL

Background and Context for East Ayrshire.

The 2012 homelessness target is a commitment made in the Housing (Scotland) Act 2003 that by the end of 2012, anyone who is unintentionally homeless in Scotland will be entitled to settled accommodation. There was a 2009 interim target which required local authorities to halve the percentage of applicants receiving a no priority decision. In East Ayrshire, this was achieved by varying our homelessness policy to greatly expand the range of client groups considered to be vulnerable and therefore in priority need.

During 2010/11, East Ayrshire Council received 803 homeless applications of which 666 (83%) were assessed as being homeless or potentially homeless and of them 600 (90%) were assessed as having a priority need. Our 2011/12 applications are anticipated to be in the order of 675 applications of which some 86% of homeless applicants who are accepted as being homeless or potentially homeless are assessed as being in priority need. Removal of the priority need test altogether within East Ayrshire was approved by Cabinet in January 2012.

Common Allocations Policy and Common Housing Register

Our new policy was introduced within the Council from April 2011 with a provision of 25% of all re-lets to be allocated to homeless applicants. To date (January 2012) some 20.5% of allocations have been made to homeless applicants under the new policy. This reflects the down turn that there has been in the number of homelessness applications being made. It does, however, mean that there is scope for additional lettings to be made to homeless applicants without changing policy, should there be an upturn in the number of homelessness applications. The Common Housing Register will be implemented in April 2012, at which time 4 locally based RSLs will implement the Common Allocations Policy along with a target allocation of 25% of re-lets to homeless applicants for each of the partner landlords. We anticipate that this target allocation will comfortably meet the demand from the Homeless Group.

Lost Contact cases

Some applicants who have been accepted as being homeless subsequently lose contact with the Council and are thus not provided with accommodation. There are a number of reasons why this happens, including reoffending behaviour which leads them to being imprisoned again. Considerable staff time is devoted to keeping in contact with applicants and as a consequence we have only had to close 35 cases so far during 2011/12. This was 6.5% of all applications.

Repeat Homelessness cases

Repeat homelessness continues at historically lower levels. In 2009/10 these applicants represented 8.66% of all applicants, 6.61% in 2010/11 and 7% to date in 2011/12. That amounts to 31 applications since April 2011. Analysis indicates that conventional solutions have proven to be ineffective with many of these applicants. It may be that additional support systems require to be developed to address the needs of many within this grouping. This will imply additional resources being made available.

Returned Home or other disposals

Of our 2010/11 applications, some 155 had their outcome recorded as returned home or moved in with friends and relatives. This was 19% of the applications for whom an outcome is recorded. So far in 2011/12, 121 applicants have had the same outcome recorded for them, 26% of all cases with a recorded outcome. Should the number of applicants who return home reduce then the number of applicants for whom we need to find accommodation would increase with no increase in the overall number of presentations being made.

Recent LHA changes

Recent data from our Benefits Section indicates that the January 2012 increase in the age limit for the shared room rate of Local Housing Allowance from 25 to 35 is going to affect the amount of benefit paid to 201 current LHA claimants on the anniversary of their claim during 2012. It is at present unknown as
to how many of them may present as homeless as they are no longer able to afford their present accommodation. Some may be able to receive assistance from Discretionary Housing Payments but this will not be a long term solution. It is considered highly unlikely that landlords will reduce rents to the lower LHA levels so they will need to find alternative accommodation. A homeless application has already been received from one of the affected LHA claimants. For planning purposes, the worst case scenario has been assumed: that all 201 present as homeless over the next year, and that all require permanent accommodation with less likelihood of a return to the private sector.

**Use of the private rented sector to discharge homelessness duty**

Regulations have been introduced to allow local authorities to discharge their duty to provide suitable accommodation for people who are homeless and in priority need by arranging an assured tenancy in the private sector (Section 32A). An initial 6 months short assured tenancy would not enable us to say that our duty had been discharged, but the granting of a subsequent minimum 12 month tenancy will then enable us to say that our duty has been discharged. There has so far been minimal use of this provision nationally and the Scottish Government is carrying out research to establish the reasons for this. So far in 2011/12, 33 homeless applicants are recorded as finding a private rented tenancy but the recent LHA changes will make it more difficult to use the private rented sector for homeless applicants.

**Intentionally Homeless applicants**

The number of applicants assessed as being intentionally homeless (they have been assessed as having in some way contributed to their current situation) is increasing as a percentage of applications. In 2009/10 they comprised 11.5% of applicants, 13.3% of applicants in 2010/11 and so far in 2011/12 make up 18.8% of homeless applicants. The reasons for this increase remain unclear. The decision that someone is intentionally homeless reduces their right to assistance with accommodation. It is, however, the case that everyone found to be homeless or potentially homeless is assisted to find a housing solution in this authority.

**Conclusions**

The current level of homeless applications is being comfortably dealt with within the existing level of resources. If however, the 201 LHA claimants affected by the recent LHA changes do present as homeless then it is likely that there will be very little reduction in that number through loss of contact, returns home or moving in with relatives. Projected numbers of applications for 2012/13 are given in the table below.

**Homeless presentations actual & projected**

<table>
<thead>
<tr>
<th>Priority need</th>
<th>2009/10</th>
<th>2010/11</th>
<th>2011/12</th>
<th>2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of homeless applicants</td>
<td>827</td>
<td>803</td>
<td>675 (projected)</td>
<td>876 (projected)</td>
</tr>
<tr>
<td>Accepted as homeless or potentially homeless</td>
<td>670</td>
<td>666</td>
<td>584 (projected)</td>
<td>785 (projected)</td>
</tr>
<tr>
<td>Lost contact and so not housed</td>
<td>100 (11%)</td>
<td>114 (14%)</td>
<td>47 (projected) (7%)</td>
<td>55 (projected) (7%)</td>
</tr>
<tr>
<td>Returned home etc.</td>
<td>194 (23%)</td>
<td>155 (19%)</td>
<td>160 (projected) (24%)</td>
<td>160 (projected) (18%)</td>
</tr>
</tbody>
</table>
## Issues to be addressed by the Inquiry

### Objectives

- To identify the impact of the commitment on homeless people, local authorities and registered social landlords;
- to identify any persistent barriers to implementation;
- to highlight best practice and opportunities for sharing best practice;
- to determine effective homelessness prevention activity;
- to identify action that could be taken to assist local authorities in meeting the target.

### Notes

- The 2012 homelessness target is a commitment made in the Housing (Scotland) Act 2003 that by the end of 2012, anyone who is unintentionally homeless in Scotland will be entitled to settled accommodation. There was a 2009 interim target which required local authorities to halve the percentage of applicants receiving a no priority decision. In East Ayrshire, this was achieved by varying our homelessness policy to greatly expand the range of client groups considered to be vulnerable and therefore in priority need.

- During 2010/11, East Ayrshire Council received 803 homeless applications of which 666 (83%) were assessed as being homeless or potentially homeless and of them 600 (90%) were assessed as having a priority need. Our 2011/12 applications are anticipated to be in the order of 675 applications of which some 86% of homeless applicants who are accepted as being homeless or potentially homeless are assessed as being in priority need.

- The new policy common housing allocations policy was introduced from April 2011 with a provision of 25% of all relets to be allocated to homeless applicants. To date (January 2012)

### Table

| Number of lets needed in year | 376 | 397 | 377 | 570 |
| Rehoused in private lets | 23 | 13 | 44 | 44 |
| Number of social rented lets required | 353 | 384 | 333 | 526 |
| Number of social rented lets available (assumes 25% of all lets) | 435 | 419 | 426 | 432 |
| Surplus/deficit of lets | 82 | 35 | 93 | -94 |
some 20.5% of allocations have been made to homeless applicants under the new policy. This reflects the down turn that there has been in the number of homeless applications being made. It does however mean that there is scope for additional lettings to be made to homeless applicants without changing policy, should there be an upturn in the number of homeless applications.

- In addition, agreement is reached to remove the priority need assessments from February this year further endorsing the 2012 commitment.

- to identify any persistent barriers to implementation;
- Cuts to the capital budget for new-build housing supply and the lack of available social rented properties in particular areas are constant hurdles associated with the implementation of the 2012 commitment. The new single room rate and under occupancy proposals are of great concern and will prove a significant barrier in the provision of a meaningful housing option. The Department of Works and Pensions universal credit system and payment method will initiate further difficulties and the consideration currently given to payment of housing benefit to those in temporary accommodation is a potential major issue if similar to the universal credit system.

- to highlight best practice and opportunities for sharing best practice;
- Sharing best practice and experiences may be achieved through the Ayrshire and South West HUB, by sharing practices and experiences this can persuade continual improvement on a range of housing issues. SCSH HSO meetings and communities portal on the Scottish Government web is a further avenue for sharing best practice.

- to determine effective homelessness prevention activity;
- Homeless Prevention is currently being developed via regional Hubs, within the Ayrshire and South West Hub each authority is at different stages of development and implementation. The 2010 support legislation yet to be implemented and guidance provided by ministers will play an essential role in prevention of homelessness and tenancy sustainment with the public and private sector having a role to play. Close working with NHS partners, identifying issues and inputting prevention plans is also essential.

- to identify action that could be taken to assist local authorities in meeting the target.
- Assistance to meet the target and beyond consideration may be given to
  - Extend funding for regional Hubs which ends in March 2012
  - Further consideration should be given to the abolition of the right to buy.
  - Increase the amount of affordable new build housing for beyond 2012
  - Investment in support to ensure prevention of homelessness and tenancy sustainment.