

Subject:	Using Empty Council Buildings for Rough Sleepers		
Date of Meeting:	4 May 2017		
Report of:	Executive Director for Neighbourhoods Communities & Housing		
Contact Officer:	Name:	Larissa Reed	Tel: 29-4286
	Email:	Larissa.reed@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

- 1.1 To investigate the possibility of using empty council buildings as accommodation for rough sleepers

2. RECOMMENDATIONS:

- 2.1 That the provision of night shelter facilities is considered as part of the wider rough sleeper strategy and a cross party group of councillors is formed investigate rough sleeper crisis accommodation for the winter period.
- 2.2 That the Committee notes that a property review, assessment and business case will need to be undertaken to assess any specific building/site property requirements, risks and financial implications of any buildings identified to be used for crisis accommodation.

3. BACKGROUND INFORMATION:

- 3.1 Nationally rough sleeping has increased by 16% in the last 12 months, with an estimated 4,134 people sleeping rough in 2016. Like most councils, Brighton and Hove council saw an increase in rough sleeping. Our figures for Quarter 3 of 2016/17 show 144 persons sleeping rough. On average 50-60% of rough sleepers in the City have no local connection.
- 3.2 The council works with partners via the rough sleeper strategy-to tackle the problem and reduce significantly the numbers sleeping rough.
- 3.3 The options open to the council are:
- To change the asset management process in both housing and property services to enable the use of empty properties for rough sleepers.
 - To introduce a guardian scheme for empty council buildings.

- No to agree any specific solution but link this piece of work to the rough sleeper strategy and take a holistic view of how we may provide accommodation to rough sleepers.
- To facilitate private building owners to open their buildings and work with the voluntary sector to deliver services.
- To use modular 'Pod' buildings on a temporary basis.

Using an empty council building as a shelter.

- 3.4 The council currently has 21 non-residential empty buildings. This number does not include council houses which may be undergoing works or let but not yet occupied. A full list of empty properties can be found at appendix 1. Properties on the list empty fall into 3 main categories
- i) Currently being marketed or under offer for letting
 - ii) Currently undergoing refurbishment
 - iii) Occupied by the guardian scheme.
- 3.5 The council has asset management processes that review properties prior to them becoming surplus to ensure that there is no alternative service use / requirement for the property. Once declared surplus to requirement the property/building will either be let commercially for income generation, let or transferred to a Registered Provider for housing, let for a community use or marketed for redevelopment, retained for site assembly of a larger redevelopment or sold as part of the council's disposal programme to support the budget strategy and capital investment programme.
- 3.6 The properties on the current vacant property list are a mixture of housing commercial properties and properties managed by the corporate property team. These properties represent a variety of property types varying from small shop units, small storage units, surplus public conveniences, surplus caretaker houses, or larger surplus sites for redevelopment or disposal. Most are in transition, some pending redevelopment and refurbishment, some in negotiations prior to being let, or transferred to a Registered Provider, some are being or about to be marketed and have temporary security arrangements or guardians in place.
- 3.7 Regulations that would be required to be met for any 'hostel' type use
- Any property needs to meet the requirements of the Housing Health & Safety Rating System which includes security, heating, health and safety and damp.
 - Appropriate planning permission needs to be in place
 - The council Houses in Multiple Occupation Licensing standards will need to met as far as they are applicable. This would include the provision of toilets bathrooms and kitchen facilities.
- 3.8 Property/site implications and costs will also have to be considered for enabling and commissioning of buildings. An individual business case will be completed for any property identified which will look at all risks including loss

of rate rebate and other financial considerations relating to the council regarding the value of buildings/site and risks to capital receipts.

- 3.9 It is possible to use empty council properties for crisis accommodation. Manchester City Council and Stoke on Trent Council have both opened empty council buildings for this purpose. Following conversations with both councils, it is clear that the buildings they opened were not being actively marketed for sale or lease and there were no immediate plans for the buildings. Manchester City Council also told us, they were looking for private owners of empty buildings to make them available for this purpose.

Introduce a guardian scheme for empty properties

- 3.10 This is a scheme where empty properties are looked after by a guardian. In some cases the guardian is a homeless person. This model is used by some councils including Bristol City Council. However the success of this scheme is reliant on the guardian having low or no support needs. Brighton and Hove council does use guardians in some of our empty properties. In addition, a local charity 'Spacemates' is looking to pilot a social enterprise to provide guardianship to commercial empty properties. This is at an early stage but could have positive outcomes.

To link this piece of work to the rough sleeper strategy and take a holistic view of how we may provide crisis accommodation to rough sleepers during the winter period.

- 3.11 The council has a rough sleeper strategy, which looks aims to eliminate rough sleeping in the City. The strategy has 5 strategic aims
- i) Preventing Homelessness and Rough Sleeping
 - ii) Rapid Assessment and Reconnection
 - iii) Improving Health
 - iv) A Safe City
 - v) Pathways to Independence
- 3.12 The council, through the strategy work with partners to provide the following
- Churches night shelter
 - Accommodation for rough sleepers under SWEP (severe weather emergency protocol).
 - Outreach work for rough sleepers.
- 3.13 By linking any shelter accommodation for rough sleepers with the rough sleeper strategy and the support services available to homeless people (including health services), the council can ensure that more of the needs of rough sleepers are being met during times of severe weather.
- 3.14 Since the notice of motion was received by council, a private individual has made an offer of using a building for the purposes of a night shelter. A group has been formed and several discussions have taken place. It is clear that there are issues

of safety and security which need to be considered when using any property as a short term shelter.

Modular or 'pod' homes

- 3.15 Offsite manufactured modular homes can provide homes for either long term or short term use as affordable housing. Increasingly they are being developed specifically for use as emergency or temporary accommodation, e.g. LB Lewisham's 'pop up village' of temporary homes for 24 homeless families in Ladywell on a site awaiting longer term development. Modular units have the benefit of being 'de-mountable' and can generally be moved between sites if and when required. Brighton Housing Trust also delivered short term temporary accommodation using converted shipping containers at the Richardson's Yard site in the city which has been providing 36 temporary homes for homeless people since 2014
- 3.16 The council is piloting the development of modular homes with a 60 year or greater design life on its land through its New Homes for Neighbourhoods programme in order to test their claims for speed of delivery, cost and quality and achieve development of very challenging small sites:
- Modular pilot 1 – working with a locally based modular manufacturer to lease three unused or underused small HRA garage sites and develop up to 18 new homes aspiring to the council's Affordable Housing Brief standards. These would then be leased back to the council for letting and management at a cost comfortably within the rental income from tenants. They would provide settled accommodation for people to whom the council owes a housing duty, helping to ease the council's budget pressures.
 - Modular pilot 2 – working with YMCA Downslink to lease a small and extremely constrained HRA garage site on which they would develop up to 21 Y:Cube modular homes. This would be transitional accommodation for young people at the end of the homelessness pathway, easing pressure on hostel and other move on accommodation for young people in the city.
- 3.17 We will apply our learning from these pilots to other potential opportunities for modular homes that could be used as temporary accommodation. There are a number of considerations for the use of modular or pod homes and they do not necessarily provide a 'quick-fix' solution to homelessness and moving units between sites could take time and be complex. As well as the pilot projects outlined above the council is looking at the experience of other council's/providers to identify best practice. Issues to consider include:
- Sites – Sites for development of new homes are in very short supply in the city and this will apply to those suitable for temporary as well as longer term residential use. Also need to identify sites that are in suitable location both in terms of access (e.g. units being able to be craned onto site) and for the residents of the new homes (e.g. to avoid 'ghettoisation')
 - Speed - Modular development is generally quicker than traditional construction, but considering procurement, design, planning and site works will generally take in excess of 12 months to deliver end to end

- Funding – Costs can be lower than for traditional construction, particularly for ‘pod’ type units, but may still require capital funding from the council (developer may want in region of 25 years to directly fund)
- Planning – New homes will require planning permission which may be only be granted on a temporary basis and could need a change of use depending on the site
- Temporary use – If used on a temporary basis (for example on a site the council is looking dispose of) time frame needs to be considered (e.g. what is the minimum period) as does the effect on the disposal of the site e.g. time frame and potential effect on the value of the site.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 It is clear that whilst there are potential benefits from using empty council buildings as a shelter during the winter months, the property implications, regulations and costs associated with this make it a challenge. There have been positive outcomes (eg reduction in time people are living on the streets) for councils who have used their empty buildings; however the property market in the local authorities who have done this is different to Brighton and Hove
- 4.2 By using a cross party members group, working with operational partners through the rough sleeper strategy, it may be possible to provide accommodation for rough sleepers for the winter period and work to engage them in longer term solutions

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 The council would work with voluntary sector partners to ensure that any work undertaken had full support.

6. CONCLUSION

- 6.1 The problem of rough sleeping has increased in the City and the council is working together with partners to tackle it. However there may be a way in which the council could provide emergency accommodation to rough sleepers. It is essential that any accommodation based solution meets statutory regulations and that appropriate support is offered to the rough sleeper to ensure that any solution found can be sustained.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs of the formation of a cross party committee (as mentioned in paragraph 2.1) can be met from current 2017/18 budget resources. This report also

recommends that a property review and assessment will be undertaken to assess any specific building/site property requirements, risks and financial implications. Therefore, the financial implications for identified sites will be evaluated at this time. However, the financial implications of changing a building for use as a night shelter facility could be considerable given the costs of fitting out the building, security costs, loss of rate rebate and also any possible reduction in the value of the building or effects on future income generation. For 2017/18, Budget Council agreed one-off capital funding of £100,000 for basic facilities and infrastructure and one-off revenue funding of £35,000 for security and basic facilities to allow for the use of empty council buildings by rough sleepers. These are the only identified budgets for the provision of extra night shelter facilities for 2017/18 and so, if costs cannot be met from these resources, a further report will need to come back to this committee.

Finance Officer Consulted: Monica Brooks

Date: 21/04/17

Legal Implications:

- 7.2 Subject to compliance with the various regulatory frameworks referred to in the report at paragraph 3.3, there is no legal reason why the council should not use its empty properties as accommodation for rough sleepers. In any case, where the guardian approach is proposed, legal advice may be required to ensure that the agreement does not confer any security of tenure on the guardian. Such security may make it difficult to regain possession when the property is required for redevelopment

Lawyer consulted: Liz Woodley

Date: 21/04/17

Equalities Implications:

- 7.3 The equalities impact review for the rough sleeper strategy was reviewed for this report. It is attached as appendix 2. There are no addition equalities impacts.

Any Other Significant Implications:

Public Health Implications:

- 7.4 Rough sleeping is a high profile public health issue locally and presents considerable risk to the health and wellbeing of those affected. Evidence indicates rough sleepers are disproportionately affected by physical & mental health and substance misuse problems.

Exploring options for safe and sustainable rough sleeper crisis accommodation could identify options for reducing the impact of acute homelessness on health and wellbeing and enabling those affected to engage with support services.

SUPPORTING DOCUMENTATION

Appendices

1. List of Empty Properties
2. Equality Impact and Outcome Assessment (EIA) Template – 2015

Background Documents

None.

Documents in the Members' Rooms

None.

