

<b>Subject:</b>	<b>Homeless &amp; Rough Sleeper accommodation next steps</b>		
<b>Date of Meeting:</b>	<b>14<sup>th</sup> May 2020</b>		
<b>Report of:</b>	<b>Executive Director Housing, Neighbourhoods &amp; Communities &amp; Executive Director Health &amp; Adult Social Care</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason.

The next stage of accommodation arrangements needs to be agreed urgently in order to secure the accommodation in time to prevent homelessness and rough sleeping.

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report sets out the risks and opportunities of accommodation for rough sleepers under the current Covid 19 restrictions and the need to ensure that those who are homeless are in safe accommodation. The current hotels that were quickly acquired in the emergency are subject to short notice and there are risks they will return to commercial business when restrictions lift. Government announcements on 10<sup>th</sup> May indicate that some hospitality business could resume from the beginning of July .
- 1.2 There is an option of acquiring university halls of residents to be available from 18 May 2020 to 4 September 2020 as our next step in relation to transition from our current emergency response to provision of accommodation for homeless and rough sleepers under Covid-19 Urgency Powers. This will lead into the work we are commencing under the Housing & Homelessness Recovery Programme Sub-Group and plans that will need to be in place to tackle homelessness and rough sleeping in the city.

### **2. RECOMMENDATIONS:**

- 2.1 That Policy & Resources agree the next steps and moving to the next phase of accommodation so that people are not at risk of returning to the street when restrictions are lifted.
- 2.2 That Policy and Resources agree to enter into contract [Licence to Occupy] with the University of Brighton for 222 units of student accommodation as move on from initial accommodation acquired under Covid-19 Urgency Powers.

### 3. CONTEXT/ BACKGROUND INFORMATION

3.1 Homeless people are at increased risk of morbidity and mortality from Covid-19 for a number of reasons, including prevalence of long term health conditions and living environments that reduce the ability to socially distance or self-isolate.

3.2 In response to this, the Minister for Homelessness wrote to local authorities requiring action to protect health and stop wider transmission, particularly for rough sleepers and those living in settings where it is difficult to socially distance or self-isolate. The Government required housing, social care, public health and NHS partners to work together to deliver action including:

- a) stop homeless people from congregating in facilities and encampments where there is a higher risk of transmission
- b) urgently procuring accommodation for people on the streets
- c) triage people into a Care and Protect model informed by NHS England and Public Health England guidance, including separate accommodation for those with symptoms of COVID19; those with pre-existing conditions but without symptoms; and lower risk without the above.
  - Ensure food, clinical and other support is provided.
  - Provision of leadership for the Care and Protect Model was identified as a priority for the NHS.

3.3 At the start of the crisis and in response of tight government directives to provide accommodation for all rough sleepers, a variety of hotel accommodation was procured.

3.4 Initially, Housing made available some self-contained emergency accommodation and procured 5 guest houses across the city to provide for rough sleepers. These were quickly filled by referrals of single homeless people who would not normally be owed a statutory housing duty and verified rough sleepers from St Mungos, Antifreeze and BHT. H&ASC Commissioning in partnership with Public Health adopted the Care and Protect model for rough sleepers. This meant people would be medically triaged and cohorted into accommodation for separate cohorts depending on their medical need and their risk of harm from Covid 19as follows:

3.4.1 work was split into:

- Verified rough sleepers including those who were in the congregate accommodation (No Second Night Out Hub and the 365 Nightshelter) which was closing and those in supported accommodation with shared facilities who needed to isolate. Projections were 350 to 400 units of accommodation were needed. These people are medically triaged according to whether they are symptomatic; not symptomatic but high health risk, low health risk; or have complex needs. They are placed into one of the units of accommodation accordingly.

- People becoming homeless and at risk of rough sleeping because there is no statutory accommodation duty, people who were accommodated at Somewhere Safe to Stay the congregate No First Night Out Service. Following medical triage to ensure that people are not symptomatic these people are referred to Housing Options and are placed into other hotels that were acquired under Covid 19. These are not subject to the protect model.
- 3.5 Working in partnership, St Mungos and Arch Healthcare have delivered a model that has enabled control of infection and support of rough sleepers who were identified as a particularly vulnerable group should they be infected with Covid 19 and ensured that all rough sleepers had an appropriate offer of accommodation in a relatively short period, which was a challenging piece of work.
- 3.6 The accommodation that was procured to enable this model was commercial hotels that would otherwise have to close under Covid 19 restrictions. Most accommodation has ensuite facilities but no access to cooking facilities. The accommodation was procured for 12 weeks with either party being able to give short notice to terminate. This notice period gave the hotels some comfort as they were unused to the client group and apprehensive.
- 3.7 In addition to the accommodation costs there were additional support costs including on-site 24/7 security, cleaning at a level for infection control and laundry provision for bedding and personal clothing. Food was also provided as the hotels do not provide cooking facilities.

#### **4. RISKS**

- 4.1 The hotels were procured for 12 weeks commencing at the beginning of April meaning current contracts will expire early July. While we may be able to negotiate extending contracts while lock down remains, there is a risk that when the Government starts to relax restrictions on lock down, the hotels will want to resume commercial business. Some of the hotels have already indicated an interest in returning to their usual business during the summer. The Government announced on 10<sup>th</sup> May that some aspects of the hospitality industry could commence from 1<sup>st</sup> July 2020.
- 4.2 Under current contracts all the hotels can issue short notice and we would have to decant all occupiers and make good any dilapidations. It is unlikely we will have move on provision in place in sufficient quantity to enable that or to have time to mobilise plans in such a short space of time.

#### **5. MITIGATION**

- 5.1 We are exploring the option of the core hotels in the Care & Protect model extending contracts until the autumn irrespective of whether lock down is relaxed. To this end we have already started soft conversations with the hotels in the care & protect model to see which arrangements could be extended. At least one of the hotels which provide a significant number of rooms have stated that they want to return to commercial activity.

- 5.2 We had already commenced discussions with the two local universities about making use of student accommodation. In April this accommodation was not available as there were still a number of students in residence.

It is now possible to procure University of Brighton student accommodation (222 units). This is in several blocks within central areas of the city. The rooms are basic and have shared cooking facilities but ensuite bathrooms the same as the hotels. Bedding and laundry will be provided along with free Wi-Fi. The university have confirmed they would be available from mid-May until the beginning of September when we would have to decant so they can prepare for incoming students at the end of that month (assuming lock down is over). The cost compares favourably with the hotels. This would enable us to mitigate the risk of hotels giving short notice in order to resume commercial use. The university halls provides for not less than one month's notice and only then where either party believes that there has been an operational breakdown at or in connection with the property.

- 5.3 We propose seeking to retain our current core Care & Protect accommodation provision for both symptomatic & non-symptomatic high-risk clients.
- 5.4 It is proposed that only the low health risk and low support need clients from the Care and Protect hotel accommodation and those with low/no support needs who have been accommodated through Housing Options, (that is not verified rough sleepers but those becoming homeless where there is no accommodation duty) transfer to University student accommodation.
- 5.5 We would not propose to fully occupy all rooms with clients, allowing some rooms to be used by staff and support workers for purposes of safe operation of site management, support and clinical purposes
- 5.6 The model may allow for additional savings to be made in the medium term as accommodation use is rationalised to make best use whilst retaining the care & protect model.
- 5.7 It is essential that the operating model for the university accommodation is at an appropriate level and this would need to include on site security 24/7; an on-site manager from 9-5 in addition to support for clients. Security and cleaning that is being provided at current hotels could be transferred.
- 5.8 People who have smart phones or other Wi-Fi enabled devices will be able to access Wi-Fi free and so could access TV or other on-line entertainment. Community support was previously co-ordinated to provide goods for entertainment during lockdown to try and keep people in their accommodation and these would move with people into the student University accommodation. If additional items were required we can liaise with community led support groups. In addition food has been arranged for all people in the hotels and this could be transferred to university accommodation. Security will be on site to facilitate social distancing where possible.

## **6 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 6.1 Other accommodation has been considered, including accommodation on the outskirts of the city for foreign students, but no accommodation has been identified that is both in sufficient numbers and in a central enough location in order that support for all clients can be effectively provided.
- 6.2 Other hotels have been mothballed for the duration of the lockdown and have not expressed an interest in working with the Council to provide accommodation for people who are homeless.
- 6.3 The ending of furloughing provision after lockdown is relaxed is unknown at this time. It is reasonable to assume businesses will need to re-start generating income to cover staff costs. In the event that the tourist trade doesn't materialise in sufficient numbers post lock down, there may be potential for hotels to continue to work with us. However there is a high level of uncertainty about this at present.

## **7. LONGER TERM EXIT STRATEGY**

- 7.1 There is a need to develop an overall longer-term exit strategy in preparation for when restrictions are lifted and MHCLG may cease funding additional accommodation and associated support costs for all rough sleepers. There is agreement to explore how to avoid returning people to rough sleep and how to work with people now they are accommodated to have a longer-term option.
- 7.2 This will require a project management approach to co-ordinate all the various pathways and accommodation streams, including mapping out the impacts and what existing accommodation can be released for this client group.
- 7.3 Housing Options are working closely with St Mungo's to develop Personal Housing Plans for each individual accommodated so there is a pathway.
- 7.4 In addition, Housing Needs are also working on plans for all those households we do have accommodation duties towards and to prepare for when restrictions are lifted. For example, we may get a surge in evictions from private rented accommodation as the 3 month pause comes to an end. In addition we are anticipating an increase in family/friend evictions and potentially an increase in people fleeing Domestic Violence and Abuse.
- 7.5 There are currently around 200 people accommodated in the care & protect model and a further 100 who we do not have an accommodation duty to in other hotels and emergency accommodation. Prior to lock down we were aware that (where we knew the local connection) around 50% of rough sleepers had no local connection to the city. Therefore, a proportion of people currently accommodated are likely to have no local connection and there will need to be work to support them back to those areas where they do have a connection once the lockdown period has been lifted.
- 7.6 Through the agreed joint Housing workplan there is a commitment to providing accommodation using the Housing First model for those with support needs

including those who are extremely clinically vulnerable and cannot be accommodated in buildings with shared facilities.

- 7.7 We are exploring the use of HMOs and what support would be needed for tenants and landlords. This would be for people with lower or no support needs who could maintain a tenancy with either floating or no support. Opportunities exist resulting from changes to the student accommodation area of the market, to acquire HMOs for lower support need clients and to enhance the community-based support that has been developed in the City. There would need to be additional funding to support an expanded floating support model.

## **8 COMMUNITY ENGAGEMENT & CONSULTATION**

- 8.1 This is a joint report from Housing and ASC Commissioning in conjunction with Public health. Given that an urgency decision is required there has not been sufficient time for wider consultation.

## **9 CONCLUSION**

- 9.1 There are risks with current provision if restrictions are relaxed and the hotels currently being used move back to commercial provision.
- 9.2 To offset the risk of rough sleepers being returned to the street in such an eventuality there is the option to obtain student accommodation which would be available until September. This would allow a degree of certainty while planning for move on pathways is established.
- 9.3 We can retain core hotels for symptomatic clients and those at high risk if the contract the virus and those with complex needs. This would allow a mix of options and spread the risk.
- 9.4 At the time that hotel accommodation was procured there were only estimates for the total number of people who might require accommodation. Subsequently the numbers have been less than anticipated and some of the current provision is currently under-utilised. As part of this approach we can look to make better use of the accommodation provided.

## **10. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 10.1 The cost of housing up to 400 rough sleepers and those in congregate accommodation is estimated to be £2.4m for the three months to end of June 2020. This includes the costs of accommodation, security, support, cleaning, food and laundry. This equates to £184,600 per week. Currently the council is paying 12 hotels and guest houses for en-suite rooms. Hotels are being paid on average £32 per night.
- 10.2 If the council were to continue using the current hotels up to early September, without using any University accommodation, this would cost an estimated £4.183m.

- 10.3 This report is examining the possibility of moving up to 222 clients into University accommodation in order to reduce the risk of needing to move these clients at short notice by the hotels. This accommodation is less expensive than the average hotel. However, moving clients will require an overlap of both hotel and university accommodation.
- 10.4 The report proposes that in addition to the 222 units of accommodation within the student halls, up to a maximum of 141 units are retained across the current hotel accommodation. For a short period of time the council would need to pay for both hotel accommodation and student accommodation while a smooth transfer for some clients takes place. The estimated total costs of all the accommodation, together with the transfer period is £3.901m up to early September. However, opportunities to both reduce overall hotel accommodation and further negotiate a reduced rate will be explored.
- 10.5 There is still some uncertainty over government funding for housing all homeless and rough sleepers in this way. The Government has written to say the Council can claim up to £0.066m towards the costs of housing rough sleepers. This is clearly insufficient. The Government has also given the Council £8.157m for COVID-19 emergency response funding and further funding estimated at £8m is promised. However, this is required to fund the whole council's response to this crisis and is currently estimated to be inadequate. (COVID-19 Financial Position Statement report to P&R on 30<sup>th</sup> April) On the 03.05.2020 central government announced additional funding of £76m across all local authorities to meet the needs of people fleeing domestic violence, children in need and rough sleepers. Brighton & Hove council's share of this funding is not yet confirmed. On 04.05.2020 Robert Jenrick, Minister for Housing, publicly confirmed that local authorities would have the full cost of all actions that were taken in direct response to a central government directive during the Covid 19 pandemic reimbursed. Again, this funding is still not certain.
- 10.6 The report also discusses the longer term strategy for housing and moving on this group. At the moment there is no funding for this longer term and the council was already under pressure to reduce the costs of homelessness to within budget. So housing rough sleepers after this crisis longer term would be contingent on new funds being made available.

*Finance Officer Consulted: Monica Brooks*

*Date: 11/05/20*

Legal Implications:

- 10.7 The existing emergency accommodation in response to the Government's directive to relocate all rough sleepers from the city's streets was acquired using officers' urgency powers.
- 10.8 The proposals are in line with the Council's powers and obligations under the Civil Contingencies Act (the Act) and current government direction/guidance to secure accommodation for street homeless persons and other vulnerable adults as outlined above.
- 10.9 The licences/contracts that the Council has already entered into with a number of hotels/hostels were temporary in nature and a number of them can be terminated

on 7 days' notice, meaning they are not a secure arrangement. The accommodation to be provided by Brighton University would be for a fixed term until 4<sup>th</sup> September 2020 and, although there is the ability for the licence agreement with the university to be terminated, it provides a more secure arrangement for the Council to meet its obligations

*Lawyer Consulted:*

*Elizabeth Culbert*

*Date:*

*05/05/20*