

Draft Interim Policy on Use of Housing Revenue Account Void Properties as Temporary Accommodation

December 2025

Introduction and Purpose

Brighton & Hove City Council currently faces acute pressures in meeting its statutory homelessness duties, with rising demand for Temporary Accommodation (TA) and limited local supply. This policy sets out a time-limited interim position to use council-owned void properties as TA, aiming to maximise in-city placements, reduce costly spot purchases and out-of-area placements, and improve outcomes for affected households, across education and health.

This will run from 19 January to 1 May 2026, after which its impact will be evaluated. This approach is a direct response to financial pressures, the rising need for stable temporary accommodation for homeless households, and the council's commitment outlined within the Council Plan, Housing Strategy 2024 to 2029 and new Homelessness & Rough Sleeping Strategy 2025 to 2030.

Scope

This interim policy applies to council-owned Housing Revenue Account (HRA) properties that become void within the window. It excludes seniors housing, extra care, and mobility/adapted properties due to their specialist nature and high demand. However, in exceptional circumstances, these property types may be brought within scope.

The focus is on general needs family-sized homes and other suitable units where compliance and lettable standards can be achieved. With the exception of the council's Large Panel System (LPS) blocks, properties already committed to regeneration or disposal, or requiring capital works that cannot be completed within the timeframe, are also excluded. This ensures the interim action targets stock that can be quickly and safely brought into use for TA, without impacting vulnerable groups or long-term strategic plans.

Policy Statement

During the interim position, all eligible HRA void properties (excluding seniors and mobility/adapted homes, other than in exceptional circumstances) will be for use as Temporary Accommodation for homeless households owed duties under Part VII of the Housing Act 1996.

Priority will be given to families, households currently placed outside the city, and those in spot purchased placements. Exceptions will be considered on a case-by-case basis, as outlined below and approved by the Head of Tenancy Services.

TA placements in HRA stock are made under Part VII functions on a non- secure tenancy; they do not create secure tenancies and do not attract Right to Buy.

At the end of the period, the letting of HRA void properties will revert to standard allocation processes unless further approval is sought. This policy is designed to be transparent, fair, and responsive to the city's most urgent housing needs.

The period is not intended to be long term, as the council recognises the impact that this will have on households on the council's Housing Register and is an interim position whilst it carries out other action to address the pressures of Temporary Accommodation.

Legal and Policy Framework

The legal basis for using HRA voids as TA is included within the Local Government and Housing Act 1989. Provision that they are not secure tenancies is found within the first schedule to the Housing Act 1985.

This temporary position is grounded in statutory homelessness duties under the Housing Act 1996 (Part VII) and the Homelessness Code of Guidance (Chapter 17), which require all TA placements to be suitable in terms of space, location, health needs, accessibility, and affordability.

As stated, using council stock for TA does not confer secure tenancy; placements are made under homelessness duties, not the Part VI allocation scheme.

The Equality Act 2010 requires that all decisions consider impacts on protected characteristics, with an initial Equality Impact Assessment (EIA) available prior to the decision to adopt this temporary policy.

Definitions

- **Void:** A council property with no active tenancy, after the tenancy has lawfully ended and the rent account is closed.

- **Temporary Accommodation (TA):** Accommodation secured to meet statutory homelessness duties until settled housing is offered.
- **Lettable Standard:** The minimum safety, compliance, cleanliness, and functionality standard a void must meet prior to occupation. These definitions ensure clarity for staff, residents, and stakeholders, and align with sector best practice.

Principles

The interim measure is underpinned by key principles:

- **Suitability first:** Every placement is assessed for suitability, for the purpose of Temporary Accommodation, against household needs, ensuring families and vulnerable households are prioritised.
- **Safety and compliance:** All properties must (change to will) meet required lettable standard
- **Review rights:** Households can request review of the suitability of the accommodation provided.
- **Sustaining communities:** being aware of the sensitivity of lets and supporting community cohesion where possible.

Eligibility and Prioritisation

Eligibility follows statutory homelessness duties under Part VII. During the period, prioritisation will focus on households as set out below; it will be for council officers to assess and evidence which of the criteria are met to sufficient level:

- Households located outside Brighton & Hove and assigned 'Band A' under the Temporary Accommodation Allocation Policy to return to the city, namely households who include:
 - a child in secondary school within the city in their final year of key stage 4 (generally year 11)
 - a child who has a Statement of Special Educational Needs and or an Educational Health Care Plan and is at school in the city
 - a child who is the subject of Child Protection Order Plan from BHCC
 - someone who is officially caring for another person in the city as part of a care plan agreed with the relevant social care department
 - someone in permanent or settled employment who works anti-social hours within the city and would risk losing their employment (unless they can be transferred by their employer)

- someone who is receiving medical treatment that can only be provided by a specific medical facility within the city and that treatment requires a high volume of attendance at that medical facility (a minimum of 2 to 3 times per week)
- Households with dependent children in spot purchase or blocked booked accommodation:
 - Assessed as unsuitable for longer-term stay and prioritised for transfer
 - Made homeless due to domestic violence or abuse
 - Including a neurodiverse child (diagnosed by a qualified practitioner) or a child with Special Educational Needs (SEN) or other significant educational pressure.
 - Living in spot-purchase and/or block booked TA for more than 6 months
- Other households in out-of-city, spot purchase or block booked Accommodation

Policy Exemptions

While the policy aims to maximise the use of HRA void properties as TA for homeless households, it recognises that certain circumstances require individual consideration. Exemptions are therefore built into the policy to ensure that the council can respond appropriately to complex issues.

Unless needed in exceptional circumstances the following property types are exempt from the interim policy:

- **Sheltered Housing:** Properties designated for seniors are excluded due to their specialist nature and high demand.
- **Mobility-Adapted Properties:** Homes adapted for accessibility are excluded to preserve availability for those with specific needs.
- **Housing Association / Registered Social Landlord Properties:** Properties managed by partners within the council's allocation scheme are not included. On average, approximately one-quarter of homes allocated to households on the housing register are Housing Association properties.

In addition, the council retains a discretion to allocate voids to households from the housing register, and existing secure council tenants where exceptional circumstances and needs can be demonstrated in the following categories:

- Where an allocation would enable another council property to become available to use as Temporary Accommodation. For example, a Priority Transfer or Large Panel System (LPS) block property.
- Where there is a serious safeguarding risk or urgent medical need and allocating an existing council tenant, a new property is deemed the only way to safeguard.
- Where there is a household with assessed care and support need in residential or alternative care whose needs could be met within general needs accommodation.

- Any other situation where a compelling case can be demonstrated by a household on the housing register will be considered individually by the Lettings Panel.

Exceptions will be considered on a case-by-case basis by a dedicated panel.

Panel for Lettings Decisions

A dedicated panel will oversee decisions to use HRA voids as TA. The panel will include:

- Head of Tenancy Services
- Temporary Accommodation Manager
- Housing Allocations Manager
- Rehousing Manager
- Housing Operations Manager
- Empty Homes Manager

This panel will meet regularly to apply the prioritisation and decide on exceptions, and oversee offers of accommodation, ensuring decisions are consistent, fair, and well-documented.

Process Overview

The below process will be followed during the interim period:

- **Identification:** Empty Homes team flags eligible voids weekly during the interim period.
- **Pre-void inspection:** Condition of void recorded.
- **Void works:** Minor or major works scheduled to achieve lettable standard for TA.
- **Panel decision:** Lettings panel applies prioritisation matrix and agrees placements
- **Offer and sign-up:** TA licence or non-secure tenancy terms issued; rights and responsibilities explained; move-in supported.

Standards for TA in Council Voids

All council-owned voids used as TA must meet the council's lettable standard for TA, ensuring properties are safe, secure, clean, and ready for occupation. The following requirements apply:

- **Safety & Compliance:**
 - Valid gas and electrical safety certificates (CP12 where applicable and EICR) must be in place.
 - Hardwired smoke detectors and carbon monoxide alarms installed and tested.
 - No Category 1 hazards present (HHSRS compliance).
 - EPC completed and available.
- **Security:**
 - Front door lock changed; two sets of keys provided.

- All windows and external doors checked for security and function.
- **Flooring:**
 - Minimum floor covering provided in all TA voids, unless suitable flooring already exists.
 - Kitchens and bathrooms must have suitable/non porous vinyl flooring.
- **Cleanliness:**
 - All previous tenants' effects, rubbish, and graffiti removed.
 - Property thoroughly cleaned, including sanitary ware, kitchen, and all floor surfaces.
- **Functionality:**
 - Heating, hot water, electrics, and plumbing in full working order.
 - Kitchens and bathrooms must be ventilated and have essential fixtures in good condition.
- **Decoration:**
 - Internal decoration is the incoming tenant's responsibility, unless the property is either below an acceptable standard or excessive damage requires partial redecoration at the council's discretion.
- **Adaptations & Accessibility:**
 - Existing adaptations retained unless instructed otherwise; reasonable adjustments made for accessibility where required.
- **External Areas:**
 - Gardens, sheds, and boundaries cleared of hazards and bulk waste; fencing and gates made safe.
- **Handover:**
 - Welcome pack left for the incoming tenant.

Interim period and extension

This action runs from 19 January to 1 May 2026. At the end of the period, a review of the impact will be carried out, including analysis of outcomes, challenges, and recommendations.

From 1 May, the letting of HRA void properties will revert to standard allocation processes unless an extension is granted by the council's Cabinet. The decision to extend will be informed by formal consultation and an updated Equality Impact Assessment, reflecting insights and data gathered during the interim period. A detailed record of all HRA properties used as TA throughout the interim scheme will be maintained.

Notifying Residents and Housing Register applicants

Advertising of council homes via Homemove (the council's Choice Based Lettings platform) will be paused from 19 January 2026. Residents and tenants will be notified of this change, as well as any subsequent decision to extend or amend the process.

During the interim period, residents and tenants will continue to be able to bid on:

- Housing Association properties
- Council-owned Seniors Housing
- Council-owned mobility-adapted properties

Financial Impacts

Indicative modelling assumes up to 80 additional council TA units across the interim measure, with estimated savings as a result of fewer households in spot purchase and block booked temporary accommodation.

The savings will take into account the impact on the HRA including additional repairs and maintenance costs.

Monitoring and KPIs

The interim measure will monitor and report:

- Number of HRA voids allocated to TA
- That figure as a percentage of overall allocations in the period
- Number of voids where exceptions were applied
- Number of households in spot purchase and block booked accommodation
- Suitability reviews (s202) and outcomes
- Enquiries, complaints and Ombudsman enquiries

