

20 November 2023

HOMELESSNESS CRISIS - BRIEFING

Purpose of the Report

1. To provide attendees with preliminary information to inform their briefing of homelessness issues in Cardiff.

Structure of the Meeting

2. To inform the briefing, the following individuals / organisations have been invited to facilitate discussions by sharing their knowledge and perspectives of this issue in Cardiff:

- Councillor Lynda Thorne, Cabinet Member, Housing & Communities.
- Jane Thomas, Director, Adults, Housing & Communities.
- Helen Evans, Assistant Director, Housing & Communities.
- Dave Jaques, Assistant Director, Development & Regeneration.
- Matt Evans, Operational Manager, Supported Accommodation and Assessment.
- Richard Edwards, CEX Huggard
- Gareth Jones, Strategic Operational Lead for Southeast Wales, The Wallich

3. At the start of the meeting, Cllr Lynda Thorne will be offered the opportunity to make a brief opening statement (should they wish). After which, Cardiff Council officers will provide attendees with a briefing, via a presentation.

4. Following delivery of the presentation discussions between all attendees will then commence.
5. All attendees are encouraged to participate and share their views and knowledge throughout the meeting's discussions. Attendees are encouraged to share examples and views of those they support, however are reminded, as the meeting is public; not to name any individuals' directly.
6. Cardiff Council Scrutiny meetings are public meetings; meaning they are webcast and available for public viewing on the Council's website. For the benefit of the meetings webcast, attendees are required to turn their microphone on before contributing, and, prior to speaking, wait until their microphone shows a consistent red light.

Scope of Scrutiny

7. At the meeting attendees will be briefed by Council officers. In preparation for that Briefing, this Cover Report provides attendees with initial, preliminary information. Attendees are to note, the information contained in this Cover Report is not intended to be exhaustive.
8. During the meeting, Committee Members will have the opportunity to explore:
 - The current demand of homelessness support in Cardiff
 - Contributory factors to this demand.
 - The local authority's winter planning.
 - The considerations for medium and long-term planning in response to the sustained pressures; including the council's approach to rapid rehousing.
9. Following the meeting, Committee Members' will decide what comments, observations or recommendations they wish to pass on to the council's Cabinet Member for their consideration.

Strategic Background

10. The following paragraphs provide attendees with a brief summary of the council's strategic approach toward addressing and preventing homelessness.

➤ **'No Going Back'**

In response to the Covid-19 pandemic, the Welsh Government provided an additional £10 million to local authorities to mitigate the impact on homeless individuals. In Cardiff, a total of 182 units of supported accommodation were established during the crisis made up of isolation units, hotels, move on accommodations and re-purposed buildings. In May 2020, a further allocation of £20 million was announced by the Welsh Government for 2020/21 to assist local authorities in funding solutions to homelessness in the longer term – described as a “No Going Back” approach.

➤ **Homeless and Vulnerable Person Board**

Prior to the pandemic, Cardiff established a Homeless and Vulnerable Person Board, bringing together a range of partners and led by Councillor Lynda Thorne, Cabinet Member for Housing and Communities. The Board undertook a comprehensive review to set out a new pathway for accommodation and support services for single homeless people. The findings from this review, along with the learning from the pandemic, enabled the development of a new vision for homeless services for single people in Cardiff. The vision has four key components and is summarised below:

1. To prevent homelessness wherever possible – and where it is not possible, for the experience of homelessness to be rare, brief and not repeated.
2. To deliver an assessment / triage approach to all those presenting as homeless.
3. To move away from a “staircase” approach to rehousing where clients move from supported accommodation to independence in stages. The new model will have separate pathways for clients who

are able to move rapidly into independent housing via housing first or community housing with intensive support as appropriate. The model will also have a separate pathway for those with lower need with support to move on quickly into the private rented sector together.

4. For those with the most complex needs, longer term specialist accommodation will be required in good quality, self-contained accommodation that can provide a home environment in a supported setting.

To support this vision, a range of projects were approved by the council's Cabinet including the:

- Development of a Single Homeless Assessment Centre.
- Expansion of the homeless multi-disciplinary team.
- A new model of health service delivered directly to hostels.
- Significant increase in capacity and improvement in quality of supported accommodation for single people.
- The delivery of 3 family homelessness centers
- Participation in the Welsh Government Leasing Scheme to make better use of the private rented sector

For attendees' information, the July 2020 Cabinet Report sets out the council's commitment and proposed action in full, and can be found [here](#).

➤ **Cardiff Council's Housing Support Programme Strategy 2022-2026**

The above-named strategy, agreed by Cardiff Council's Cabinet in January 2022, was developed in response to the Housing (Wales) Act 2014 which requires each local authority set out their strategic direction for homelessness prevention and housing related support services for the next four years. The strategy, developed in partnership with external stakeholders, sets out how the council, and partners, will work to prevent all forms of homelessness and accelerate the shift to a rapid re-housing approach through the learning of the pandemic and the work of the Homeless and Vulnerable Person Board.

For attendees information, the strategy can be accessed [here](#).

➤ **‘Stronger, Fairer, Greener’ and Corporate Plan 2023-26¹²**

The above-named Council polices, further embed the commitments to homelessness as set out in the ‘No Going Back’ approach and Housing Support Programme Strategy and include commitments such as:

- ❖ Work with Welsh Government to understand the resource requirements needed to deliver a rapid re-housing approach to homelessness.
- ❖ Work with Welsh Government and partners to help address the cost of renting in the private sector and raise standards, including exploring the feasibility of community-led housing and introducing further charges on empty properties.
- ❖ Improve the quality of supported accommodation, including delivering the supported housing schemes for single people at Adams Court and for families at Harrison Drive.
- ❖ Continue to promote the help available to prevent homelessness, and improve and expand prevention services in the community by March 2024, including:
 - Making prevention support accessible online, by telephone, regularly available in community locations and in a home setting via home visits, and to increase the number of people seeking help at an early stage.
 - Providing a dedicated caseworker to all but the most straightforward cases.
 - Ensuring prevention support is available immediately and for as long as is required to resolve the threat of homelessness.

¹ [Stronger Fairer Greener \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/stronger-fairer-greener)

² [Corporate Plan 2023 to 2026 \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/corporate-plan-2023-to-2026)

- ❖ Increase Temporary Accommodation capacity by:
 - Increasing the number of buybacks³.
 - Working with Registered Social Landlord partners to identify difficult-to-let properties and finding suitable occupants.
 - Increasing the number of managed schemes to improve move-on into permanent accommodation.
 - Exploring other meanwhile use of development land.

- ❖ Ensure that the complex needs of homeless people are met by:
 - Further developing the Multi-Disciplinary Team (MDT) and ensuring clear pathways are in place for move on to mainstream services when appropriate.
 - Ensuring that appropriate health and support services are available in hostels and supported accommodation.
 - Fully training staff and focusing on assertive re-engagement with those that may fall out of services as well as providing meaningful opportunities for residents to train and volunteer.
 - Continuing to support and assist rough sleepers to access and maintain accommodation by reviewing and developing the council's assertive outreach approach and further developing and promoting the benefits of Diversionary Activities.

- ❖ Improve the quality of Supported and Temporary Accommodation by:
 - Completing the phasing out of accommodation that no longer meets the required standards.
 - Reducing the use of hotel accommodation for families.

- ❖ Prevent youth homelessness, and ensure that young people leaving care are supported by:
 - Reviewing and enhancing advice and mediation services, with particular regard to young people.

³ Properties purchased from the private market.

- Considering targeted interventions and support for school-aged children and their families.
- Ensuring the young person's gateway accommodation meets current needs, reviewing and increasing capacity within the gateway as needed.
- Developing the Citadel supported housing scheme for young people with complex needs.

➤ **Rapid Rehousing Approach**

Research from across Europe and the USA has shown that different levels of supported accommodation prove less successful than a rapid rehousing approach with intensive support.

It is for this reason why the council's above-named policies confirm the strategic vision of moving away from the staircase model, whereby service users move through several projects in their journey towards independence, towards a rapid rehousing approach, with appropriate support based on individual need.

To achieve a rapid rehousing approach, the Housing Support Programme Strategy 2022-26, confirms the establishment of a detailed, 'Rapid Rehousing Transition Plan' which will include improvements in the council's workings with private landlords, extending the range of incentives available, move on options available including managed housing schemes and increasing Housing First provisions and access to intensive support in the community.

However, it is noted, this work will require sufficient resource and so work with the Welsh Government on resource requirements will be essential.

Further, the Housing Support Programme Strategy 2022-26 notes the following challenges toward delivering rapid rehousing approaches:

- **Temporary Accommodation** - Cardiff has a range of self-contained temporary and supported accommodation on offer, yet there is a need to improve move-on options so that individuals and families can exit homelessness quickly.

- **Demand for social housing** - There are over 8,000 households on the Cardiff Housing Waiting List, and roughly 300 new applicants join each month.
- **Issues with the Private Rented Sector** – There is currently high demand and a lack of supply of privately rented accommodation across the city. This is also compounded by private rent prices being higher than Local Housing Allowance (LHA) rates (the maximum amount that can be claimed in benefit). In a sample of the Cardiff market undertaken in September 2022, 98% of properties were being let at least £100 above the LHA. The average shortfall across all bedroom types is £318 per month⁴.

Context

11. Committee Members have been briefed both at committee meetings, and Full Council, that, the demand in Cardiff for emergency and temporary accommodation for families and single people is at unprecedented levels.
12. At the meeting, attendees will be briefed by the Council's executive, on the current situation. In preparation for the briefing, the below paragraphs offer attendees, preliminary information, provided at recent Council meetings⁵.

General Points

- Homelessness services in Cardiff are continuing to face unprecedented pressures.
- There are over 8,000 people on the housing waiting list.
- There is significant concern that the situation will worsen in the upcoming winter months.
- There are further concerns that due to a large back-log of Asylum applications, which will receive a decision by the Home Office in December 2023, this will also present further demand for services.

⁴ [\(Public Pack\)Agenda Document for Cabinet, 20/01/2022 14:00 \(moderngov.co.uk\)](#) Accessed 14th November 2023

⁵ Full Council Meetings: September 2023 & October 2023

- The combined waiting lists for temporary accommodation have increased by 537% in two years.
- As of the October Full Council meeting, the homeless prevention service were supporting 200 individuals who had been given notice to quit by their landlords; all of whom have the potential to become homeless and would therefore require temporary accommodation.
- Demand on services for single people continues to be exceptionally high and around 80 individuals per night are being supported through emergency, out of hours provision.
- Committee Members have previously recognised ending homelessness is not just about providing accommodation. It is also about addressing the wide range of causes and consequences of homelessness.

Figures

- With specific regard to street homelessness, as of 1 March 2023⁶, 23 people were reported as sleeping on the city's streets. As of Quarter 2 (September 2023), that number is 39.
- In the October Full Council meeting, it was reported there are over 200 families in hotel accommodation in Cardiff.
- The October Full Council meeting reported there is a record high number of single and young single people requiring support, with more than 350 people waiting to enter temporary accommodation⁷. For context purposes, in July's Full Council meeting it was reported there were 377 households waiting to enter temporary accommodation⁸.
- In April 2023, this Committee undertook a deep-dive into the council's support for street homeless. As part of this work, the service area provided Members with a detailed briefing note which can be accessed [here](#). As part of the briefing note, meeting attendees were provided the following figures:

⁶ March 2023, Full Council Meeting..

⁷ October 2023, Full Council meeting.

⁸ July 2023, Full Council Meeting.

	2021/22	2022/23	% Increase
Number of Applications / Referrals	6,701	7,092	5.8%
Number of homelessness assessments completed	4,215	4,588	8.8%
Number of households found to be “at risk” of homelessness.	1,695	2,006	18.3%
Number of households found to be “Homeless on the Day”.	1,645	1,662	1%
Number of Households found to have no homeless duty owed.	876	920	5%

Contributory Factors

- A significant issue, contributing to the current situation relates to a lack of available, affordable properties in the city; an issue apparent nationwide.
- The September Full Council meeting reported that in Cardiff, the number of landlords selling their properties is up by 122% compared to pre-pandemic levels. Further, at the October Full Council meeting, Members were verbally informed Rent Smart Wales had recently advised over 2,100 landlords had left the Cardiff market; this equates to 5% of all private rented accommodation in the city.
- Legislative changes such as the introduction of the Renting Homes Act, interest rate rises and changes in taxations for landlords has been aligned as contributing factors to them leaving the market; resulting in an increasing demand on the council’s homeless service.
- In relation to the current cost-of-living context; with rising interest rates and energy expenses, the Welsh Government has recently introduced a mortgage support scheme, entitled ‘The Help to Stay Wales Scheme’. The Help to Stay scheme will provide an option for homeowners, who are at serious risk of losing their home a partial repayment of an existing mortgage balance via a low-cost equity loan which will be interest free for

the first five years. Attendees are to note, the Welsh Government also has a 'Mortgage Rescue' scheme which supports people who are in possession proceedings; Help to Stay Wales offers support to individuals facing possession proceedings.

Further information on the Help to Stay Wales scheme can be found [here](#).

Council Response⁹

- To support homeless families, the Council has secured use of an additional hotel that will provide 60 additional units of emergency accommodation and remove the council's reliance on the ad-hoc use of hotels.
- To open more units at the Yr Hafan (Gasworks) site in Grangetown. Once the site is complete, the site will provide 155 mixed tenure homes; one, two, three and four bedrooms.
- Additional sites are being considered to provide more modular accommodation.
- Continued working with Registered Social Landlords, with Ty Celyn in Pentwyn, a 28 unit supported accommodation project recently opened.
- In addition, 43 units of accommodation at Bay Chambers in Cardiff Bay and 18 units at Myn Y Coed in St Mellons are due to open in early November.
- Increased the Young Person's Gateway provision by 9 spaces.
- Tai Ffres, launched by United Welsh and Llamau, will be letting its first homes in October; with 22 units becoming available for young people in housing need.
- In terms of the Council's New Build Programme, 901 new council homes have been provided, which includes 13 two, three and four-bedroom family homes, with works ongoing to provide a further 658 additional new council homes in the city.
- A new 'Move On' team and a new scheme to support clients to afford private rents by creating bespoke packages, which will include into work and money advice has been established.

⁹ As detailed in September & October Full Council meetings (2023) – attendees are reminded these bullet points are not intended to be exhaustive.

Renting Homes (Wales) Act 2016: Summary

13. In January 2022, the Welsh Government announced the introduction of Renting Homes (Wales) Act 2016, which was implemented on 1st December 2022. The Renting Homes Act is the biggest change to Welsh housing law for decades, and changes the way all landlords in Wales rent their properties.
14. The intended outcome from this Act is to improve how properties are managed and the experience of those living in rented properties.
15. Both contract-holders (tenants) and landlords alike, are affected by the law. With both social and private contract-holders seeing changes in:
- the way their contracts are provided.
 - the way their homes are maintained.
 - how they communicate with their landlords
16. As a result of the law, all social and private landlords will be required to:
- comply with the new law.
 - make the necessary updates to their properties and paperwork.
17. An example of changes brought by this Act includes:
- The notice for rent increase extended from 1 month to 2 months (for council contract-holders / tenants).
 - Increased repair standards (for council contract-holders / tenants).
 - Private and social housing contract-holders / tenants will have the right to withhold rent if they believe their property is not fit for human habitation.
 - Private landlords notice period is extended from 2 months to 6 months.
 - A private landlord can not serve a notice within the first 6 months; unless the contract has been breached.
- Et al.*
18. Due to the additional requirements this law places on landlords, there is significant concern it results in landlords leaving the market. Committee Members were briefed by the Council's executive on the implementation of this Act in

December, 2022. Should attendees wish to read further detail on the changes this Act brings, they can do so [here](#)¹⁰.

Eligibility¹¹

19. Schedule 2 of the Housing (Wales) Act 2014 (HWA) determines how an applicant's eligibility for housing assistance should be determined by a local authority. Including determining if the individual is homeless, or threatened with homeless, and how the local authority should secure help.

20. The below paragraphs provide a brief overview of the eligibility and assessment process for those deemed as homeless (and not those deemed as threatened with homelessness). For those deemed as threatened with homeless, there is a duty under the Act, for the local authority to offer guidance and assistance; such as helping to source alternative accommodation; resolving issues with arrears; offering mediation with landlords, mortgage providers; referrals for specialist advice *et al.*

21. It is to be noted many of the main homelessness duties in section 75 of HWA apply only to applicants who have been determined as a priority need categorisation. Section 70 of HWA establishes the categories of priority need as:
 - a pregnant woman.
 - a person with whom a dependent child resides.
 - someone vulnerable as a result of old age, mental illness or handicap, physical disability, or other special reason.
 - homeless as a result of an emergency such as flood, fire or other disaster.
 - someone who is homeless as a result of domestic abuse.
 - 16- and 17-year olds.
 - 18–21-year-olds who are at particular risk of sexual or financial exploitation.
 - 18–21-year-olds who are care leavers.
 - ex-service men or women.

¹⁰ Page 161-187

¹¹ [Housing \(Wales\) Act 2014 \(legislation.gov.uk\)](#) Accessed Tuesday, 11th November 2023.

- a person who has a local connection with the area and is vulnerable as a result of being an ex-prisoner.
- a person who is street homeless

22. Attendees are advised local authorities provide support and assistance for those who are not classified as 'priority need' through the Housing Solutions & Prevention services, however the local authority must provide interim accommodation only to those classed as priority need (s68 of the HWA).

23. Further eligibility requirements relate to 'intentionality'. To confirm, whether or not a person is deemed intentionally homeless will affect which duties are owed to that person under the HWA.

24. Schedule 77 of the Act deems the following as reasons why an individual can become homeless or threatened with homeless intentionally:

- The individual has done or failed to do something deliberately to cause their homelessness e.g., surrender their tenancy or be evicted for anti-social behaviour.
- To cease occupying an accommodation deemed reasonable.

To note, local authorities are able to conduct the 'intentionality test' for some, or all applicants, for certain specified priority need categories. When this is applied, the local authority must publish a notice and inform Welsh Ministers.

25. Sections 80 and 81 of HWA relates to local connection. In general, where a person has a priority need and is not intentionally homeless the authority must accept the duty to accommodate that person under section 66 of HWA 2014 if they have a local connection. If the person has no local connection with the authority's area, the authority can refer the application to an authority where the person does have a local connection.

26. For Cardiff Council, when the authority does not have a statutory duty due to the person not having a local connection, they are referred to the Council's 'Reconnection Service' which is a partnership service between the Council and the Salvation Army.
27. The term 'main duty' arises in relation to a person who is eligible for assistance, homeless, has a priority need, is not intentionally homeless and is not subject to a local connection referral. The 'main duty' is to provide suitable accommodation (section 75 of HWA) until the authority ceases to be subject to the duty (section 76). Certain actions specified in section 67 of the HWA can also trigger the cessation of the main duty. This includes, amongst other things, where a person refuses certain offers of accommodation.
28. It is to be noted, the tests required by local authorities to ascertain whether an individual seeking homelessness relief has a 'local connection', or 'intentionally' became homeless, were removed during the Coronavirus pandemic on public health grounds
29. Some campaigners have been lobbying the Welsh Government to follow suit with Scotland (who abolished the priority need assessment in 2012) for the permanent removal of the priority need, and subsequent test processes to the approach seen in the pandemic. With campaigners viewing the current assessment system as one which rations support and creates bureaucracy; allowing individuals to fall through the net and remain or end up on the streets¹².
30. Changes to the HWA in 2019 now mean that households with children, or applicants under the age of 21 that are deemed to be intentionally homeless will now still progress to a final housing duty and will be supported into accommodation. Intentionality for these groups now only applies when the household has already been found to be intentionally homeless in the past five years.

¹² [So what is priority need - and why do we want to get rid of it? \(sheltercymru.org.uk\)](https://sheltercymru.org.uk) Accessed: 8th November 2023

31. In April 2023, Committee Members undertook a deep dive into the council's support for the street homeless and received assurance by the Council's executive that, as an authority, Cardiff is acutely aware that making intentionality decisions can result in households becoming destitute and with nowhere to turn. Committee Members were informed, it is for this reason that intentionality decisions are only made in the strictest circumstances. Where this does apply, cases would be referred to the council's Social Services to ensure that the households are safeguarded.

Welsh Government White Paper: Ending Homelessness in Wales.

32. On 10 October 2023, the Welsh Government launched a White Paper consultation detailing proposals to change the Housing (Wales) Act 2014. The consultation recognises more needs to be done to help people earlier. Further, it notes that the HWA legislation prevents early help for individuals, presents difficulties in data collection, does not provide enough support for single people or street homeless, presents issues around eligibility and barriers for people accessing help. Further, the consultation notes that more people are homeless now than when the law started (2014) but the number of people helped has remained the same¹³.

33. The consultation proposes the following changes to the legislation:

- Allowing people to access help from 6 months in advance.
- Local authorities to create a 'Personal Housing Plan' for each person or household requiring support; the plan will demonstrate the steps being taken to find accommodation and is to be checked every 8 weeks.
- To remove the priority need categorisation.
- To remove the intentionality decisions.
- Adapt the local connection rule to allow local authority's to be more flexible. For example, if someone is in danger if they remain in their local area.
- Local authorities can decide to cease support to individuals if:
 - They threaten staff.

¹³ [Ending Homelessness in Wales \(gov.wales\)](#) Accessed 8th November 2023

- The person keeps missing appointments.
- Create better join-up between services – for example housing, social and health services.
- If a prisoner is expected to become homeless in 6 months; the prison must tell the council.
- Review the National Housing Pathway guidance for ex-member of armed forces to ensure consistency in application across all Welsh local authorities.
- No one under the age of 25 should be placed in temporary accommodation without support.
- Stronger onus on registered social landlords to do more to support the homeless.
- Local authorities can take people off the housing waiting list (for example, if individuals are already living in suitable accommodation).

The consultation is open until 16 January 2024 and can be accessed [here](#).

Legal Implications

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/ Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

Members are recommended to:

- i) Consider the information in this report, and the information provided during the meeting and
- ii) Determine whether they would like to make any specific comments, observations or recommendations to the council's executive.

Leanne Weston

Interim, Deputy Monitoring Officer

14 November 2023