

24 April 2023

ADDRESSING AND PREVENTING STREET HOMELESSNESS IN CARDIFF

Appendix 5 to this report is exempt from publication as it contains information of the kind described in paragraph 12 of Schedule 12A to the Local Government Act 1972. It is viewed that, in all circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Purpose of the Report

1. To provide attendees with background information to inform their consideration of how the council addresses and prevents street homelessness in Cardiff and the support offerings available.

Structure of the Meeting

2. To inform the committee's considerations, the following individuals / organisations have been invited to attend the meeting to share 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
 - Matthew Evans, Operational Manager, Supported Accommodation & Assessment
 - Jenny Rogers, Operational Manager, Community Safety
 - Adrian Price, Assessment and Support Services Manager

- Gareth Edwards, Senior Diversionary Activities Co-Ordinator
- Ayla Cosh, Clinical Director, Cardiff & Vale Health Inclusion Service
- Jayne Barrett, Homeless MDT Nurse
- Representatives from South Wales Police
- Huggard
- Salvation Army
- The Wallich
- YMCA

Members are advised Shelter Cymru and Crisis were unable to attend the meeting. However, both organisations wished to offer their views on the matter by submitting written evidence. Their evidence is attached to this report at Appendices 2 & 3.

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, discussions between all attendees will then commence.
4. 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.
5. For the benefit of the meetings webcast, attendees are required to turn their microphone on before making a contribution, and wait until their microphone shows a consistent red light prior to speaking. To ensure the meeting remains focused, the meeting's discussions will loosely be structured in the following areas:
 - Pathway of Support
 - Services on Offer
 - Challenges Faced

Structure of the Papers

6. In addition to the background information set out in this Cover Report, attendees are also provided with the following appendices:

Appendix 1 – Service Area Briefing Note.

Appendix 2 – Shelter Cymru Written Contribution

Appendix 3 – Crisis Written Contribution

Appendix 4 – The Wallich Written Contribution

Appendix 5 – Confidential – Interview transcripts with those who have experienced street homelessness.

Further insight into the views of how to address and prevent homelessness and end rough sleeping from those who have experienced it, can be found in the following report: [Hwyl Fawr to Homelessness](#)

Appendix 6 – Written submission provided by a Cardiff Councillor

Scope of Scrutiny

7. During the meeting, Committee Members will have the opportunity to explore:

- The work of the council in preventing street homelessness
- The pathway and support on offer for those individuals who are street sleeping, including accommodation and emotional support offerings.
- The needs of those requiring support.
- If there are any areas of improvement identified by the council, partners or individuals in receipt of support.
- Partnership arrangements in addressing this issue.
- Feedback and views of those in receipt of services
- The considerations for medium and long-term planning.
- The council's approach to rapid rehousing.

8. Attendees are reminded the purpose of this meeting is to consider and assess the support offerings of those with complex needs.

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. Attendees are advised many of the policies relate to the wider issue of homelessness and are not specific to street homeless and those with complex needs, however, are included to provide scene setting information.

➤ **'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 policies, 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:

Increase Temporary Accommodation capacity to address homelessness pressures by:

- Increasing the number of buy-backs;
- 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.

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)

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 our assertive outreach approach and further developing and promoting the benefits of Diversionary Activities.

➤ **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 7,000 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 month³.

Context

11. Committee Members have been briefed both at committee meetings and Full Council that at present, the demand in Cardiff for emergency and temporary accommodation for families and single people is at unprecedented levels. Further, committee Members have previously been informed this increased demand is compounded by the lack of available, affordable properties in the city; an issue apparent nationwide. To address this challenge, the council continues its housing development programme, including the development of new-builds, buy-backs (purchase of private properties), bringing empty properties back into use⁴ and working with private landlords in the city⁵.

³ [\(Public Pack\)Agenda Document for Cabinet, 20/01/2022 14:00 \(moderngov.co.uk\)](#) Accessed 18th April 2023

⁴ During 2021/22, the Housing Enforcement Team within Shared Regulatory Services brought 51 empty homes back into use. (Cardiff Council, Full Council Meeting, June 2022).

⁵ There are circa 39,000 private landlords in Cardiff. (Cardiff Council, Full Council Meeting, Oct 2022)

12. In a March Full Council Meeting, Members were informed out-of-hours homelessness service were also under considerable strain, with 93 people presenting at the provision in a single night during the winter months.
13. Due to the substantial increase in out-of-hours presentations, the service is conducting a full review to understand why people are presenting and how this can be improved through prevention pathways. Further, Members were informed staffing at services were also increased temporarily to respond to the levels of demand, and additional interim accommodation is being sought to place those in need.
14. With specific regard to street homelessness, as of 1 March 2023, 23 people were reported as sleeping rough on the city's street⁶.

Eligibility⁷

15. 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.
16. In line with the focus of this meeting, 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).
17. Attendees are advised within the assessment process, street homeless status fall into the priority need category. It is also 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.

⁶ Cardiff Council, Full Council Meeting, March 2023.

⁷ [Housing \(Wales\) Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk) Accessed Wednesday, 5th April 2023.

18. Attendees are reminded 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).

19. 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;
- 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

20. 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.

21. 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.

22. 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.
23. 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.
24. 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.
25. It is to be noted, the tests required by local authorities to ascertain whether or not an individual seeking homelessness relief has a 'local connection', or 'intentionally' became homeless were removed during the Coronavirus pandemic on public health grounds
26. Some campaigners have been lobbying to 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 streets⁸. Further information on the eligibility process can be found in **Appendix 1**.

Repeal of the Vagrancy Act

27. As stated on the UK Government website, *“No one should be criminalised simply for having nowhere to live which is why we believe that this legislation [Vagrancy Act] is antiquated and no longer fit for purpose, and why we have committed to repeal this outdated Act.”*

28. The website, available [here](#), confirms the Act will be repealed in full in England & Wales including section 3 and 4 of the Act which deems begging as an offence.

29. However, the website states *‘we must balance our role in providing essential support for the vulnerable with ensuring that we do not weaken the ability of police to protect communities. In order to ensure that the police have the tools they need the Act’s repeal will not be commenced until appropriate replacement legislation is in place. We will seek to bring forwards such replacement as soon as practicable’* Attendees are to note the replacement legislation has not yet commenced.

Newcastle City Council Approach

30. In Cardiff Council’s March Full Council meeting, the approach taken by Newcastle City Council toward preventing homelessness was raised. For attendees information, an overview of Newcastle City Council’s approach can be found [here](#) with a summary offered in the paragraphs below.

31. On 17 October 2016, the then Prime Minister launched a new Homelessness Prevention Programme. Newcastle was announced as one of three Homelessness Prevention Trailblazers to pilot new initiatives to tackle homelessness in local areas and received £936,223 in funding.

⁸ [So what is priority need - and why do we want to get rid of it? \(sheltercymru.org.uk\)](https://www.sheltercymru.org.uk) Accessed: Wednesday 5th April 2023

32. Newcastle City Council have affirmed, this funding allowed for a public service transformation programme, focused on supporting homelessness prevention at an earlier stage by working with a wider group of residents at risk before they reach crisis point.

33. In particular, Newcastle City Council's Homelessness Prevention Trailblazer approach includes:

- ❖ Improving collected understanding by strengthening the council's understanding of residents' lives and residents' understanding of the changed context that they are living in and using this understanding to inform direction and policies.
- ❖ Developed a multi-disciplinary team who work by using a case-finding approach, rather than taking referrals.
- ❖ Developed an 'Inclusion Plan' to ensure local aspirations are met by providing specific pathway resources for multi-disciplinary staff, and workforce development programmes for wider groups of workers.
- ❖ Concentrating on improving local partnership working arrangements
- ❖ Moving toward outcomes focused commissioning, by commissioning services specific to needs such as gender specific accommodation, short-term and long-term support, specialist provision for young people aged 16 to 24 years and for individuals with mental health difficulties.
- ❖ Working with local providers to increase capacity, this included reducing the number of evictions by reviewing the 'Evictions from Supported Accommodation Protocol', increasing move-on from supported accommodation by establishing a panel which identifies an individual's barriers from moving on successfully and the solutions required.
- ❖ Ensuring residents with experience of homelessness are able to routinely contribute into the decision-making processes and review of services (as opposed to one off, or ad-hoc consultations)

To note the above list offers a summary of Newcastle City Council's approach and is not intended to be exhaustive. Full detail can be found

in the hyperlink provided at point 30 of this report

Cardiff Council

34. To assist attendees in their consideration, the service area, upon Committee Members request, have provided a briefing note, attached to this report at **Appendix 1** which provides information on the following:

- Scene setting information providing demand levels for services (*both for general housing services and those specific to the focus of this meeting e.g., street homeless / complex needs*).
- Pathways of support available for those requiring housing assistant – including the Family Gateway, Single Persons Gateway and Young Person's Gateway – *in line with the focus of the meeting, attendees are advised the typical pathway is the 'Single Persons Gateway'*.
- Insight into the eligibility criteria
- Information on accommodation offerings available.
- Overview of addressing the issue of safety
- Summary of how to respond to the 'revolving door' of homelessness.
- Support schemes specific to those with complex needs e.g., Housing First, Supported Accommodation to Independent Living (SAIL), diversionary activities, and access to health services.
- Insight into the council's work with partners
- Insight into the identified challenges.

35. Attendees are advised the briefing note (**Appendix 1**), while focusing on the services and support available for those with complex needs, also references and provides information on the council's work in addressing the wider issue of homelessness (e.g., family homelessness). Family homelessness is not the focus of the meeting, however, is included to provide attendees with useful, scene setting information.

36. In advance of the meeting, all attendees are encouraged to read all appendices

attached to this report to inform their considerations and supplement the meeting's discussions.

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, its appendices and the information provided during the meeting and
- ii) Determine whether they would like to make any comments, observations or recommendations to assist the Council with its support for addressing and preventing street homelessness in Cardiff.

DAVINA FIORE

Director, Governance & Legal Services

18 April 2023