

29th Nov 2023

Councillor Lynda Thorne
Cabinet Member for Housing & Communities
Sent via e-mail



Dear Cllr Thorne,

COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 20 NOV 2023 –HOMELESS CRISIS BRIEFING

On behalf of Committee Members, a sincere thanks to you, and everyone present, for providing an early opportunity to assess forthcoming proposals to address the homelessness emergency in Cardiff.

We, as a committee, are acutely aware of both the seriousness and reality of the situation. With the current financial context forcing many individuals who, perhaps, have not faced hardship before, into destitute situations. We therefore welcome the significance placed on addressing this situation. We as a Council, must continue to place this issue at the forefront of our agenda and go above and beyond statutory requirements. We must continue to find ways of managing pressures, but also continue to place pressure on national government that this issue cannot be solved by the local authority alone; and we, and other organisations, must receive adequate support through an effective policy and financial framework.

Like you, we pay tribute to the hard work and dedication of all staff both within the council and in partner organisations, who provide such vital support to individuals facing homelessness. Whilst the performance of the council's Homeless Prevention team is welcomed, including the plans in place to address winter demands; we note that sadly, current measures are not enough to manage the situation.

Whilst remaining mindful to the current demand levels, and financial context in which we must operate, we offer our observations and recommendations to assist you in finalising proposals.

Committee Members Observations

- Support-led approach – whilst we recognise the importance of housing-led approaches in ensuring safe, suitable accommodation in the city; the principle of addressing the underlying causes and consequences of homelessness must not be lost.

We know addressing the underlying causes of homelessness is a key part of the Council's approach, and welcome the confirmation provided at our meeting that individuals with complex needs will not be offered unsuitable accommodation as a way of managing this emergency.

We therefore urge Cabinet to recognise the importance of balancing both the causes and consequence of homelessness and the availability of suitable accommodation when deciding on these, and all future proposals.

- Longevity of the Solutions – during the discussion we were informed the new build and modular accommodation proposed will fully comply with the Rapid Rehousing model, however some of the properties being purchased, along with the emergency provision contained in the proposals, may not.

Whilst the severity of the current situation is fully appreciated, the potential for emergency provisions and purchased properties to not align with the long-term strategic approach does raise questions about the longevity in the proposals, and in turn the value for money. We do however recognise it is a balancing act, and the proposal regarding the council purchasing property is overall welcomed due to the speed of solution it provides.

- Additional Accommodation– it was pleasing to note the plans to address the need by providing immediate accommodation solutions; and also, to receive assurance on the intent for the additional accommodation proposed to be dispersed across the city; and in particular, to reduce pressure in the Hansen Street area of the city centre.
- Applying intentionality – we note the need to manage demand and the desire to easily identify and support those most in need. Further, we recognise the need to deter people from the perception that presenting as homeless is the quickest route into social housing.

We are however deeply concerned about the Council's proposals to apply intentionality in determining whether an individual is owed a homelessness duty. We do not believe that this is a compassionate approach to homelessness. We are concerned that this intention to manage demand could have significant, damaging repercussions for some individuals. We would urge the Council to consider the extent to which this proposal could, inadvertently, move the problem along or even accelerate people's circumstance by potentially restricting an individuals' access to homelessness duties and housing support. We further note that this is contrary to Welsh Government proposals in its 'Ending Homelessness in Wales White Paper'.

Overall, we would recommend that other measures be considered in place of this proposal. We note the importance of strengthening the message that presenting as homeless is not a quick, easy route into social housing and we wonder if, as raised at the meeting, more could be done around how the councils delivers this message and its content; for example, if we could better project clear information on the average length of time waiting for social housing; and the lack of accommodation availability to a wider audience.

We heard at the meeting that at present, 14% of individuals living on the street have no recourse to public funds, and 23% have no local connection. As mentioned earlier in this letter, though the pressures and current context is understood, we would urge the authority to lead the way in going above statutory duty to support individuals and agree with the external partners present at our meeting on the need to remain mindful of our moral obligations when individuals are in destitute situations.

- Offers of Private Rented Accommodation outside of Cardiff – with regard to this proposal, there is initial concern this may present an increased risk of repeated homelessness due to the potential for individuals to be moved away from their support network, employment, and council services.
- Partnership Working – in the discussions we noted strong partnership working between Welsh Government, the authority, the third sector, and the private rented sector is vital, and we would strongly encourage this partnership being strengthened and continuously assessed.

Committee Members Recommendations

From the discussion at the meeting, we were informed the council is limited in what it can do to reduce private landlords leaving the market to pursue Air BnB opportunities. Given the severity of how this issue is impacting the current context, we offer the following recommendation for your consideration:

R1 As an authority, undertake, or increase efforts, to lobby the relevant government to enact legislation, such as placing covenants on buildings to reduce the prevalence of Air BnB's in the city; citing the pressures and ramifications the increased Air BnB markets presence is placing on the availability of long-term accommodation in the city. The council should also consider using new levers provided by Welsh Government to manage second homes and holiday lets.

R2 We would strongly urge Cabinet to withdraw proposals to re-apply Intentionality in determining whether an individual is owed a homelessness duty, owing to the significant consequences this will have for individuals, and recognising that this proposal would not be in line with current Welsh Government proposals. We would encourage Cabinet to pursue alternative means of communicating the demand pressures on and waiting times for social housing.

To confirm, a response to this letter is requested which advises if the recommendations made¹ are accepted.

We wish to end by stressing the importance of exercising caution on the proposals relating to changes in policy and protocol. If these proposals to change policy / protocol are carried, we urge they are piloted with the possibility of allowing a revert to previous approaches in a timely manner, without undergoing any bureaucratic measures to do so.

Further, we also urge proposals that strengthen our support for complex needs in line with this continuing demand is also considered and carried. We note this matter is linked to resource and revenue funding and so we urge they be considered and prioritised in the council's forthcoming budgetary decisions.

Yours,



COUNCILLOR RHYS TAYLOR

CHAIR, COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

cc. Members of the Community & Adult Services Scrutiny Committee

Jane Thomas, Director Adults, Housing & Communities

Helen Evans, Assistant Director, Housing & Communities

Dave Jaques, Assistant Director, Development & Regeneration

Matthew Evans, Operational Manager Supported Accommodation & Assessment

Huggard

The Wallich

Cardiff Council Chair of Governance & Audit

Tim Gordan, Head of Communications & External Relations

Jessica Tomlinson, Improvement Project Manager

Cabinet Office

¹ R1 & R2

**SWYDDFA CYMORTH Y CABINET
CABINET SUPPORT OFFICE**

Fy Nghyf / My Ref : [CE:0044997]

Eich Cyf / Your Ref :

Dyddiad / Date: 6th December 2023

Councillor Rhys Taylor
Chair
CASSC
Cardiff Council
County Hall
Cardiff
CF10 4UW

Dear Councillor Taylor

CASSC Scrutiny Committee – 20th November 2023 – Homeless Crisis Briefing

May I thank Committee for the opportunity to present a briefing on the Housing Emergency at the November meeting.

I note the observations set out in your letter, in particular I would wish to confirm that our work to continue to address the underlying causes of homelessness remains vital and we remain committed to the continued development of the multi-disciplinary support available for individuals with complex needs. While the briefing was focused on the housing emergency, I am very aware that housing alone cannot address homelessness.

In terms of your recommendations, I have set out my response below:

R1 As an authority, undertake, or increase efforts, to lobby the relevant government to enact legislation, such as placing covenants on buildings to reduce the prevalence of Air BnB's in the city; citing the pressures and ramifications the increased Air BnB markets presence is placing on the availability of long-term accommodation in the city. The council should also consider using new levers provided by Welsh Government to manage second homes and holiday lets.

While I agree that the Air BnB market is placing additional pressure on the housing market, I am also aware that some action is already being taken to address this issue. The Welsh Government have already announced new criteria that will need to be met before self-catering accommodation can be classified as a business and subject to Non-Domestic Rates rather than Council Tax. For those properties that are included in the Council Tax list a new premium is being introduced in Cardiff from the 1st April 2024 which will charge an additional 100% on top of the normal Council Tax charge for vacant furnished dwellings. It will also be possible to consider increasing the level

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

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The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



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of this premium in future years. This premium will apply to AirBnB properties where the owner is not in occupation. It is estimated that this premium will impact on at least 3000 properties in the city including second homes and vacant furnished lets, although there are some exceptions in the landlord sector for properties being actively marketed for sale or rent.

I also understand that a formal Welsh Government consultation was issued earlier in the year about registration of holiday lets. Hotels, B&Bs, caravans and other holiday lets were all in scope for the registration/ licensing scheme at the consultation stage. Benefits the scheme could provide include:

- the mechanism to address concerns about safety and compliance
- a comprehensive database of who is operating in the industry and
- a valuable tool to understand the scale, location and impact of the industry economically and on local communities.

The aim is to level the playing field as part of a long-term response to the major challenges faced by the loss of residential property in many Welsh communities, whilst enhancing the visitor experience and visitor safety.

I understand that Welsh Government is currently drafting new legislation relating to this issue.

While this is good progress I do however accept that further dialogue should take place with Welsh Government officials about any additional steps could be taken to address this issue.

R2 We would strongly urge Cabinet to withdraw proposals to re-apply Intentionality in determining whether an individual is owed a homelessness duty, owing to the significant consequences this will have for individuals, and recognising that this proposal would not be in line with current Welsh Government proposals. We would encourage Cabinet to pursue alternative means of communicating the demand pressures on and waiting times for social housing.

While I note and understand the Committee's concerns about this matter unfortunately, I cannot accept this recommendation. While I would not choose to implement this change in normal circumstances, given the current crisis I feel we have no choice. As set out during the meeting the consideration of intentionality during homeless decision making is necessary to prevent individuals from taking advantage of the homeless legislation to bypass the social housing waiting list. Officers report cases where individuals are deliberately giving up housing to enter homeless services with the intent of gaining social housing, this means that those households with higher housing needs are waiting longer on the Common Housing Waiting list as a result.

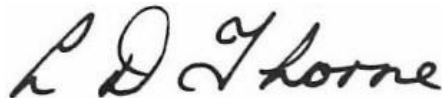
I regret that I find it hard to understand how communicating the demand pressures and waiting times for social housing would address this issue. While the Welsh Government's White Paper on Ending Homelessness in Wales proposes a future

change to this area, considering intentionality in homeless decision making is fully in line with current legislative requirements. This week I attended an all Wales Cabinet Member briefing and discussion on the Welsh Government white paper and every single Local Authority Cabinet member present made the case for not changing the intentionality rule.

I do however accept that implementing these proposed changes in protocol and policy this should be carried out with caution and therefore while the cabinet report will agree the approach in principle, further consultation will take place to inform a full impact assessment before these changes are taken forward and any action that is required to mitigate any issues. This approach will also ensure that the needs of individuals with complex needs are fully considered.

May I once again thank the Committee for the opportunity to present this issue.

Yn gywir / Yours sincerely

A handwritten signature in black ink, appearing to read 'L D Thorne'.

Councillor / Y Cynghorydd Lynda Thorne
Aelod Cabinet dros Dai a Chymunedau
Cabinet Member for Housing & Communities