


<p>Non-Executive Report of the:</p> <p><b>Overview and Scrutiny Committee</b></p> <p>2 September 2024</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of</b> Linda Walker, Interim Director - Legal &amp; Monitoring Officer</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Call in - Approval of the council's revised Homelessness Accommodation Placement Policy</b></p>	

<b>Originating Officer(s)</b>	Thomas French, Democratic Services Officer (Committee)
<b>Wards affected</b>	All

## CONSIDERATION OF THE CALL IN

A call in request has been received on the decision of Cabinet, 10 July 2024 on Item 6.6 Approval of the council's revised Homelessness Accommodation Placement Policy

In accordance with the Council's call in procedure rules, the matter is referred to the Overview and Scrutiny Committee (OSC) for its consideration and to decide whether to refer the matter back to Cabinet for further consideration. The following procedure is to be followed by the Committee for consideration of the Call In:

- i. Chair to invite a call-in member to present call-in.
- ii. Chair to invite members of the Committee to ask question.
- iii. Chair to Invite Cabinet Member to respond to the call-in.
- iv. Chair to invite members of the Committee to ask questions.
- v. Followed by a general debate.

It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Cabinet decisions), or to refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

## **RECOMMENDATION**

That the Overview and Scrutiny considers:

1. The contents of the attached report, review the Cabinet's decision (provisional, subject to call in) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Cabinet with proposals and reasons.

## **INTRODUCTION**

On 10 July 2024, the Mayor in Cabinet considered a report on Approval of the council's revised Homelessness Accommodation Placement Policy

As a result of discussions on the report it was **RESOLVED**:

1. Approve the council's revised Homelessness Accommodation Placement Policy (Appendix A to the report) and new Homelessness Accommodation Procurement Strategy (Appendix B to the report).
2. Delegate authority to the Corporate Director of Housing and Regeneration should any further amendments be required because of new legislation or case law in consultation with the Mayor and Lead Member.

The decisions above have been Called-In by Councillors Marc Francis, Sirajul Islam, Asma Begum, Shahaveer Hussain and Mohammed Chowdhury. This is in accordance with the provisions of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

The Mayor in Cabinet also resolved to approve two pilot grant schemes and delegate authority to officers to administer them and to extend them/make them permanent. The Mayor in Cabinet decisions on the pilot grant schemes were not included in the call-in request, so these schemes have progressed to implementation.

In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4 June 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

## **REASONS FOR THE CALL IN**

The call in requisition from the Councillors noted above has provided reason(s) for the call-in. The reason(s) are replicated below:

- The report to the Mayor in Cabinet removes the current 90 minute journey time as a maximum distance from Tower Hamlets statutorily homeless households are placed in temporary accommodation (TA).

- As set out in para 4.5, for the purposes of making an allocation, all units of temporary accommodation acquired will be categorised into Zones. These Zones are as follows:
  - Zone A – located in the borough of Tower Hamlets
  - Zone B – located in Greater London
  - Zone C – located outside Zones A and B but in the neighbouring counties and districts of Essex, Hertfordshire, Kent, Surrey, Berkshire, and Buckinghamshire
  - Zone D – located outside of Zones A, B and C
  
- In general, only families with children in their final year of GCSEs or A-Levels will be placed in TA in Tower Hamlets. Families with children in other year-groups could be placed anywhere in London and those whose children are not yet in school could be put anywhere in the ‘Home Counties’
  
- This approach appears to be based upon the one adopted by the former Conservative administration in the City of Westminster following the legal challenge on behalf of Titina Nzolameso in 2013 when she was told the only TA available was in Milton Keynes, which was upheld by the Supreme Court.
  
- The report argues that the current subsidy arrangement for homeless households in temporary accommodation mean that LBTH faces a significant deficit every week for every homeless household in TA and that this led to £12 cost to the General Fund in 2023/24.
  
- While it is true that local authorities find themselves subsidizing the costs of homelessness, the report fails to acknowledge that much of the cost in 2023/24 was because of the failures in management of the Homeless Service that resulted in hundreds of homeless families unlawfully spending months in unsuitable Bed and Breakfast hotels.
  
- In addition, the report fails to acknowledge the impact placements in TA far from support networks of family and friends can have severe consequences for vulnerable families, especially lone parents and those already suffering mental health problems.
  
- In recent years, Tower Hamlets Council also has a poor track record of helping homeless households get essential repairs done and proactively checking the condition and suitability of TA out of Borough, leaving children at risk from damp and mould and poorly-maintained electrics.
  
- Elected members have repeatedly raised concerns about the experiences of individual homeless families with the Housing Options Service. For some of us, the response to concerns about the suitability of TA is slow and inadequate, frequently requiring referrals to advice services for formal legal challenges.

- The Corporate Leadership Team has now brought forward changes to the management of this service and additional staff, which it states are the solution to the problems that have arisen in a service which had previously been awarded a Charter Mark for Customer Service.
- Between 1997 and 2010 the then Labour Government made significant improvements to the subsidy arrangements for TA that resulted in an end to the use of B&B for families with children beyond the six-week legal limit. While the new Government has not made a manifesto commitment to do this again, newly-elected MPs are already working with local authorities to make the case for this.

## **ALTERNATIVE COURSE OF ACTION PROPOSED**

- This measure to send vulnerable homeless families even further away from Tower Hamlets is premature, unnecessary and does not take proper account of its impact on homeless families, and so the Mayor should reverse his decision to authorize it.
- Instead, the Mayor should instruct senior officers to focus some of the additional staff in the Housing Options Service to the procurement and management of TA in East, North East and South East London, and bring in external expertise to secure these homes.
- In addition, the Mayor should instruct officers to commission a survey of our homeless households to properly understand the impact of TA placements far from Tower Hamlets, and publish the results so that any future decision around locations is not just based on financial considerations.
- A decision on the necessity of any further reduction in the rights of homeless households should be made once the new Government's Comprehensive Spending Review has been announced in the autumn, including details of the funding settlement for local government and subsidy arrangements for TA are known.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

- Appendix 1 – Approval of the council's revised Homelessness Accommodation Placement Policy

### **Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report**

- None.