

# NOTTINGHAM CITY COUNCIL

## OVERVIEW AND SCRUTINY COMMITTEE

**MINUTES of the meeting held at Loxley House, Nottingham, on 16 May 2018  
from 2.00 pm - 3.35 pm**

### **Membership**

#### Present

Councillor Brian Parbutt (Chair)  
Councillor Anne Peach (Vice Chair)  
Councillor Jim Armstrong  
Councillor Azad Choudhry  
Councillor Nicola Heaton  
Councillor Mohammed Ibrahim  
Councillor Patience Uloma Ifediora  
Councillor Glyn Jenkins  
Councillor Mohammed Saghir

#### Absent

Councillor Sue Johnson  
Councillor Gul Nawaz Khan  
Councillor Cate Woodward

### **Colleagues, partners and others in attendance:**

Councillor Josh Cook - Executive Assistant for Selective Licensing and Homelessness  
Gary Harvey - Head of Housing Solutions  
Laura Wilson - Senior Governance Officer  
Phil Wye - Constitutional Services Officer

### **1 APOLOGIES FOR ABSENCE**

Councillor Sue Johnson – leave  
Councillor Gul Nawaz Khan – other Council business  
Councillor Cate Woodward – other Council business

### **2 DECLARATIONS OF INTERESTS**

None

### **3 MINUTES**

The minutes of the meeting held on 4 April 2018 were confirmed as a correct record and signed by the Chair.

### **4 OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE**

**RESOLVED to approve the terms of reference for the Committee, as approved at Council on 14 May 2018**

### **5 ESTABLISHMENT OF THE OVERVIEW AND SCRUTINY CALL-IN PANEL**

**RESOLVED to approve**

**(1) the terms of reference of the Call-In Panel, as detailed in Appendix 1 of the report;**

**(2) the membership of the Call-In Panel as detailed below:**

**Labour Group**

**Councillor Brian Parbutt (Chair)**  
**Councillor Azad Choudhury**  
**Councillor Cate Woodward**  
**Councillor Mohammed Ibrahim**  
**Councillor Patience Uloma Ifediora**  
**Councillor Sue Johnson (Vice-Chair)**  
**Councillor Gul Nawaz Khan**  
**Councillor Anne Peach (Vice-Chair)**

**Substitutes:**

**Councillor Mohammed Saghir**  
**Councillor Nicola Heaton**  
**Councillor Glyn Jenkins**

**Conservative Group**

**Councillor Jim Armstrong**

**Substitutes:**

**Councillor Andrew Rule**

**6 HOMELESSNESS**

Gary Harvey, Head of Housing Solutions, introduced the report and gave a presentation to the Committee on the Homelessness Reduction Act (HRA) and its implications, highlighting the following:

- (a) the HRA amends the Housing Act 1996 Part VII and will have an impact on the way in which homelessness prevention services are delivered and how services should link to wider support such as training, employment and health to increase resilience to homelessness;
- (b) after receiving all party support, the HRA received royal assent in April 2017 and commenced in April 2018;
- (c) the period that a person may be threatened with homelessness if they have been served a valid notice for shorthold tenancy has extended from 28 to 56 days;
- (d) there is now a duty on the Council to provide advice and information free of charge on preventing homelessness, securing accommodation when homeless, the rights of people who are homeless or threatened with homelessness, the help available in the district and how to access that help;
- (e) everyone who is homeless or threatened with homelessness must have a Personal Housing Plan (PHP) assessing their circumstances, housing needs and support needs. They must have at least one face to face interview and be notified of the outcome of the assessment in writing. The PHP must have agreement from the applicant;

- (f) the legislation includes a duty to prevent homelessness, for a period of 56 days of homelessness being threatened, and take reasonable steps to ensure the accommodation does not cease to be available. This duty can be ended early for a number of reasons including if the applicant refused an offer of suitable accommodation that had reasonable prospects of being available for at least 6 months;
- (g) the legislation also contains a duty to relieve homelessness to all who are homeless, meaning that the Council must take reasonable steps to help ensure accommodation for at least 6 months. At this stage applicants can be referred to another authority area based on local connections;
- (h) applicants are required to cooperate with reasonable steps that the Council sets out as part of its prevention and relief duties. If they do not, a warning must be served, agreed by at least 2 officers, giving clear notice of the need to comply along with the consequences of non-cooperation;
- (i) care leavers will be able to demonstrate a local connection to the Local Authority area where they have been looked after, or an area where they have lived for at least 2 years including some time before they were 16 years old;
- (j) a duty for public bodies to refer known cases of homelessness or threat of homelessness to the Local Authority will come into force in October 2018. This will require the consent of the individual and a choice as to which authority their case is referred to;
- (k) suitability checks of accommodation have been extended to include offers of accommodation within the Private Rented Sector (PRS). Offers for non-priority households under prevention or relief duties are exempt from this, although Nottingham City Council intends to only make offers of suitable accommodation in all cases;
- (l) all Housing Aid staff have been trained on the new legislation and new IT systems have been implemented for compliance. Support services have also been re-commissioned including independent living support and rough sleeping.

The following points were raised during the discussion which followed:

- (m) the Council does not have a duty to refer ineligible cases to the Home Office, and is prohibited from providing assistance to those that are ineligible for it. There can be exceptions for particularly vulnerable people and these will be referred to Social Services;
- (n) the legislation has been implemented earlier in Wales and has resulted in more homelessness prevention and relief. However, it is difficult to compare due to Wales's relatively small population. It remains to be seen whether the legislation will improve resilience to homelessness;
- (o) further issues causing homelessness that the legislation does not solve include a lack of affordable accommodation, the introduction of Universal Credit, cutbacks

to health service and local authorities, and a lack of services for the homeless;

- (p) the duty to prevent and relieve homelessness is regardless of whether somebody has intentionally made themselves homeless or not;
- (q) all new cases after 3 April 2018 are considered under the new legislation, with cases still pending from before this date being dealt with under the old legislation. Introduction of the new legislation has resulted in an influx of new cases, 614 so far, with 236 at the prevention stage, 167 at the relief stage and 196 cases closed;
- (r) applicants may express a preference of a specific area in their PHP, though some areas have high demand and will not be possible. Applicants must also take an active role in seeking accommodation themselves;
- (s) the number of applications will be monitored and the Council will make annual returns to the government. Currently 4-5,000 households need some help in Nottingham every year. The top causes of homelessness are Section 21 notices from private landlords and family breakdowns;

**RESOLVED to thank Gary for the information provided**

## **7 WORK PROGRAMME**

**RESOLVED to note the work that is currently planned for the 2018/19 municipal year**

## **8 DATES OF FUTURE MEETINGS**

**RESOLVED to meet at 2.00pm on the following Wednesdays:**

### **2018**

**6 June  
4 July  
5 September  
3 October  
7 November  
5 December**

### **2019**

**9 January  
6 February  
6 March**