

## **Cover Letter for the Consultation**

### **Consultation on a proposed Private Rented Sector Offer (PRSO) Policy**

I'm writing to you because you and your household have been accepted as homeless by Lewisham Council. This means that the Council has a duty to find you suitable accommodation. This is known as the main housing duty under section 193 of the 1996 Housing Act.

Currently, the Council's policy is that the Council will end (or 'discharge') this duty by making an offer of social housing. This will either be social housing owned by the Council, or social housing owned by a Registered Provider of Social Housing (often called a 'Housing Association').

The Council is proposing to change this policy so that the Council can end its duty by making an offer of private rented sector accommodation (this is often abbreviated to 'the PRS'). The proposed policy sets out how and when the Council will do this and also in what circumstances it would not make an offer of PRS accommodation to a particular household.

The proposed policy would only affect those who had been accepted as homeless after 9<sup>th</sup> November 2012, as this is the date that the law was changed so that the Council could end its duty through a PRS offer.

The policy also sets out what steps the Council will take to make sure a PRS offer is suitable to the needs of a particular household, including whether it is affordable. Because the cost of housing is high in Lewisham, a suitable offer may be outside of the borough of Lewisham. In these cases, the Council will decide where the offer will be based on a policy it already has called the Location Priority Policy. Any offer of housing must be suitable in terms of its location for the individual household.

The purpose of this letter is to invite you to participate in a consultation on the proposed policy. A questionnaire is enclosed to allow you to provide your views.

All responses must be received before 3<sup>rd</sup> March 2017 using the enclosed envelope or by hand delivery to the address on the envelope. If you prefer you can complete the questionnaire on the Council's website at [www.lewisham.gov.uk/doitonline](http://www.lewisham.gov.uk/doitonline) and click on 'Consultation on a proposed Private Rented Sector Offer (PRSO) Policy'.

Once the consultation has finished, the Council will consider the responses received and consider any changes that might be needed to the proposed Policy. The responses will then be presented as part of a report to the Council's Mayor and Cabinet. The Mayor will consider the responses when he decides whether or not to approve the Private Rented Sector Offer (PRSO) Policy. The dates and agendas for Council meetings are published on the Council's website.

Yours sincerely

## Appendix 2 – Consultation Document

### The use of Private Rented Sector Offers

There are more and more homeless households in Lewisham. This is because renting has become more expensive, and also because fewer social housing properties become available to let. Over half of homeless applications are now as a result of eviction from the private rented sector, an increase of 45% in two years.

In 2011/12 the council accepted almost 570 households as homeless out of over 750 decisions made. By 2015/16 this had increased to over 770 acceptances out of 1180 decisions.

The number of properties which became available to the Council to let for social housing has reduced from 1,890 in 2011 to 1,229 last year. Over the same period, the number of households living in temporary accommodation increased from 924 to 1,750.

In addition, there are now more than 9,400 households on the waiting list for social housing, which has grown by nearly 2,000 since 2012. This list includes people who want to move because, for example, their house is too small for their needs.

Because of this increased demand, the average waiting time for social housing in Lewisham is now very long. Most people are on the waiting list for over two years, and often much longer as shown in the table below:

Bedroom Size	Average Time on the Waiting List
1	1 year and 8 months
2	2 years
3	2 years and 5 months
4+	3 years and 9 months

When the Council isn't able to offer a household an offer of social housing, it often has to place them into temporary accommodation such as homeless hostels. Because of the small amount of social housing that becomes available to the Council, households are having to stay in temporary accommodation for longer and longer. Temporary accommodation is meant to be 'emergency' housing for people to live in for a short time. Often households have to move between different types of temporary accommodation, and this can be disruptive. Some types of temporary accommodation are also very expensive for the household and the Council.

As a result of the increase in homeless acceptances there are now more than 1,800 homeless households living in temporary accommodation in Lewisham. This increased use of temporary accommodation is expensive for the Council. The table below shows how the net spend on temporary accommodation has increased by over £2.5m in 2 years.

	2011/12	2012/13	2013/14	2014/15	2015/16
Net Spend on Temporary Accommodation	£1.3m	£1m	£1.2m	£3m	£3.7m

Whilst the Council is taking steps to increase the supply of social housing in the borough, it is projected that over time the supply of social housing will continue to decrease. In particular, changes introduced by the government mean that in the coming years the Council will be made to sell a number of its properties, whilst the government is also planning to introduce the Right to Buy to Housing Associations. Both of these measures will further reduce the supply of social housing in the borough.

At the same time, rents in the private sector in Lewisham are forecast to increase. These rent increases alongside other government policies such as the Local Housing Allowance being frozen until 2020 and the reduction in the overall benefit cap to £23,000 per year in London mean that homelessness as a result of eviction from the private rented sector is likely to further increase.

As the number of homelessness acceptances has remained high, the number of households in temporary accommodation has continued to increase. Without taking measures to address this increase, the cost to the council of temporary accommodation will remain unsustainably high. The council's budgetary constraints means that it needs to contain the costs of temporary accommodation.

The Council has taken other actions to address this problem, including an ambitious programme to deliver over 500 new council homes and working with Housing Associations to facilitate the construction of even more affordable homes. However, there are still many more households in temporary accommodation than can be sustainably accommodated in the social housing properties which become available to let in the borough.

For these reasons, the Council wants to increase the supply of houses that it can offer to homeless households as longer term accommodation. One way of doing this is to use the private rented sector (PRS). This questionnaire is asking you for your views on whether the council should use the private rented sector in this way, and if it does, how this will work and which type of people and households would be excluded from a PRS offer. The Council's general approach to PRSOs will be to offer two year tenancies, and these are required to meet exacting requirements relating to standards set by the government (this is called the Homelessness (Suitability of Accommodation) (England) Order 2012).

On the next page you will find a questionnaire regarding the Council's proposed Private Rented Sector Offer policy. Please use additional paper if you need to. There is also an envelope you can use to return the questionnaire at no cost to you. All responses will be anonymised when the results of the consultation are published. If you prefer you can complete the questionnaire on the Council's website at [www.lewisham.gov.uk/doitonline](http://www.lewisham.gov.uk/doitonline) and click on 'Consultation on a proposed Private Rented Sector Offer (PRSO) Policy'.

**1. Please tick the option which best describes you**

- Currently living in Temporary Accommodation
- Housing Provider such as a Housing Association (please state which below)
- Partner Agency (please state which below)
- Member of the Public
- Other (please describe below)

**2. Do you agree that the Council should use the private rented sector to end (or ‘discharge’) its main housing duty to homeless households?**

The Council is proposing to use the private rented sector to increase the supply of properties available for households to whom it owes the main housing duty. This is because of the reduction in the amount of social housing that becomes available to let as well as the increase in the number of homeless households. This has meant that the number of households in temporary accommodation has increased, and households are spending longer and longer living in temporary accommodation.

This has led to an increase in the net cost to the council of temporary accommodation which has increased by over £2.5m in 2years. As the number of homelessness acceptances has remained high, the number of households in temporary accommodation has continued to increase. Without taking measures to address this increase, the cost to the council of temporary accommodation will remain unsustainably high. The council’s budgetary constraints means that it needs to contain the costs of temporary accommodation.

For these reasons, the Council wants to increase the supply of houses that it can offer to homeless households as permanent accommodation by using the private rented sector (PRS).

To what extent to you agree or disagree with the following: the Council should use the private rented sector to end (or ‘discharge’) its main housing duty to homeless households?

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don’t know

**Any additional comments:**



### **3. Households who would not normally be made an offer of housing in the private rented sector**

The proposed policy sets out when the Council would not make an offer of private rented sector accommodation to a household. We would like to hear whether you agree with these exceptions. They are set out below:

*Please indicate the extent to which you agree or disagree with each exception.*

#### **Where a household requires significant adaptations to their property to meet health and disability related needs which it is not reasonably practicable to achieve in private rented sector accommodation.**

It is proposed that these households are excluded because significant adaptations to properties required due to health and disability related needs are much harder to obtain in private rented accommodation.

- Strongly Agree
- Agree
- Neither Agree nor Disagree
- Disagree
- Strongly Disagree

#### **Where a household is unable to manage a tenancy in the private rented sector without a substantial level of support.**

It is proposed that these households are excluded because they are less likely to be able to manage and sustain a tenancy without the type of tenancy-related support that is provided in the social housing sector.

- Strongly Agree
- Agree
- Neither Agree nor Disagree
- Disagree
- Strongly Disagree

Do you think there should be any additional exceptions to the policy? If yes, please write them in the box below:

**Equality implications**

The Council acknowledges that adopting the policy may have an adverse effect on homeless people, including:

- Reducing the prospects of them being able to obtain social housing
- It may increase the likelihood that they are housed outside of the borough because of the scarcity of affordable PRS accommodation in the borough

Because certain groups who have protected characteristics are disproportionately represented amongst the homeless, these groups are likely to be disproportionately affected by any adverse effects of the PRSO policy. In particular we have identified the following:

- People who are Black and Minority Ethnic
- Single mothers
- People who have a disability

The council believes that these adverse impacts are justified by the pressing need to contain its expenditure on temporary accommodation and the disadvantages to homeless applicants of remaining in temporary accommodation for longer periods of time.

The Council proposes to mitigate the above adverse impacts in the following ways:

- Homelessness legislation requires that any offer of PRS accommodation is suitable for the individual household, including in terms of its location
- The Council will apply its Location Priority Policy to any offers of accommodation
- The Council will provide resettlement support for any resident who is made an offer of accommodation out of the borough
- The “re-application duty” will apply where a household has been made a PRSO which then ends within two years
- The Council is increasing the supply of affordable housing in the borough, including building new council homes

Are there any other actions you would suggest to mitigate the equality implications of the proposed policy? If yes, please write them in the box below:

***Do you think the PRSO policy will have a positive, a negative or no impact on you?***

- None
- Not Sure
- Positive
- Negative

***If you responded to the above question with an answer of Positive or Negative, please outline what impact you think this policy might have and what steps could be taken to reduce the impact***

**Any other comments:**

**About you**

The following monitoring questions help us to be fair and inclusive in the work that we do. All questions on the form are **voluntary** and you do not have to answer them.

The information that you do provide helps us to understand who is sharing their views and influencing our decision-making. It also helps us to ensure that nobody is discriminated against unlawfully.

Any information that you do choose to provide on this form will be treated confidentially in accordance with the Data Protection Act 1998.

Age

**Please select your age group**

- Under 18 years
- 18-24
- 25-29
- 30-34
- 35-39
- 40-44
- 45-49
- 50-54
- 55-59
- 60-64
- 65+
- I'd rather not say



Ethnicity

**What is your ethnic group?**

- **White**
  - English/Welsh/Scottish/Northern Irish/British
  - Irish
  - Gypsy or Irish Traveller
  - Any other White background
- **Mixed/Multiple Ethnic Groups**
  - White and Asian
  - White and Black African
  - White and Black Caribbean
  - Any other mixed/ multiple ethnic background
- **Asian/Asian British**
  - Chinese
  - Bangladeshi
  - Pakistani
  - Indian
  - Any other Asian background
- **Black/ African/ Caribbean/ Black British**
  - African
  - Caribbean
  - Any other Black/ African/ Caribbean background
- **Any other ethnic group**
  - Arab
  - Other ethnic group
- I'd rather not say

Any other White background (please specify)

Any other mixed/ multiple ethnic background (please specify)

Any other Asian background (please specify)

Any other Black/ African/ Caribbean background (please specify)

Any other ethnic group (please specify)

Gender

**Are you:**

- Male
- Female
- I'd rather not say

Transgender

**Is your gender identity different from the gender you were assigned at birth?**

- Yes
- No
- I'd rather not say

Disability

Under the Equality Act 2010 a person is considered to have a disability if he/she has a physical or mental impairment which has a sustained and long-term adverse effect on his/her ability to carry out normal day to day activities. This also includes people with HIV, cancer and multiple sclerosis (MS).

**Do you consider yourself to be a disabled person?**

- Yes
- No
- I'd rather not say

Please state the type of impairment that applies to you

People may experience more than one type of impairment, in which case you may indicate more than one. If none of the categories apply, please mark 'Other' and specify the type of impairment.

**Please state the type of impairment that applies to you.**

- Physical impairment, such as difficulty using your arms or mobility issues which means using a wheelchair or crutches
- Sensory impairment, such as being blind/ having a serious visual impairment or being deaf/ having a serious hearing impairment

- Mental health condition, such as depression or schizophrenia
- Learning disability/difficulty, such as Down's Syndrome or dyslexia or cognitive impairment, such as autistic spectrum disorder
- Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease or epilepsy
- Other

#### Religion and belief

- None
- Christian (all denominations)
- Buddhist
- Hindu
- Jewish
- Muslim
- Sikh
- Any other religion/ belief
- I'd rather not say

#### Sexual Orientation

##### **How would you define your sexual orientation?**

- Straight/ heterosexual
- Gay/ lesbian
- Bisexual
- Other
- I'd rather not say

#### Pregnancy & Maternity

##### **Are you pregnant or on maternity leave?**

- Yes
- No
- Prefer not to say

**Would you like to receive the Lewisham Life e-newsletter for local events and things to do, news, discounts and other consultations?**

- Yes please
- No thanks

If yes please provide your email address