

**Policy and Resources Committee**  
**Monday, 4 December 2023**

PART I

**Safe and Legal Routes - Cap Consultation**

**(ADSPH)**

**1 Summary**

- 1.1 To provide Committee with a background to the current consultation by the Home Office on the potential capacity of the Council to support individuals arriving through safe and legal migration routes in 2025.
- 1.2 To provide Committee with a recommended response from the Council to this consultation.

**2 Details**

- 2.1 The Home Office has launched a consultation with local authorities in England that is designed to assist the Home Office to establish a cap on the amount of safe and legal migration to the country in 2025.
- 2.2 The consultation response will provide the Home Office with a realistic understanding of an areas capacity to resettle refugees and requires the Council to identify a figure that is considered and can be delivered if called upon by the Home Office.
- 2.3 No response from the Council to this consultation will be treated as the Council has zero capacity to make a commitment at this time.
- 2.4 Although a summary of the outcome of the consultation will be published, the Home Office have confirmed that they do not plan to publish individual consultation responses.
- 2.5 The consultation requires input from NHS service providers, Adult Care Services, Education, Childrens Services, and voluntary and community sector organisations. Therefore, should the Council provide a response, the Council are required to respond to the consultation in collaboration with Hertfordshire County Council.
- 2.6 Hertfordshire Heads of Housing have met with representatives from Hertfordshire County Council to discuss this consultation and have agreed in consensus that there is zero capacity at a countywide level to make a commitment to support individuals arriving through safe and legal migration routes in 2025.
- 2.7 This recommendation from Hertfordshire Heads of Housing and Hertfordshire County Council has been contained in a paper that was heard at the Chief Executives meeting on 29 November 2023. This paper covers the reasons each Housing Service of the local authorities within Hertfordshire have recommended a response confirming zero capacity. A joint response to the consultation from all of the local authorities in Hertfordshire and Hertfordshire County Council has been proposed, however, the Council have not provided any commitment to this until the final response has been reviewed.

- 2.8 From a Three Rivers perspective, should we provide a response to the consultation that commits to a figure that is called upon by the Home Office, the intention will be to secure housing for these households in the private rented sector, preferably at Local Housing Allowance (LHA) rates. The Home Office funding requirements mean that any properties secured must be within the district of the accepting Local Authority.
- 2.9 It should be noted that properties at the LHA rate within Three Rivers are minimal and the availability of these is ever reducing due to a number of factors.
- 2.10 Therefore, the Housing team are often forced to find private rentals outside of the district in order to house homeless households that are in temporary accommodation and owed a duty by the Council.
- 2.11 The Home Office's Asylum Dispersal Scheme aims to procure 68 bedspaces within in the district, by 31 December 2023, this will create significant additional pressure to the market for this already small market of properties at the LHA rate in the private rented sector in the district.
- 2.12 These 68 bedspaces are actively being procured within the district by the Home Office at this time and are for individuals that have a current asylum claim that is being assessed by HM Government.
- 2.13 Further impact on the private rented sector is expected from the Homes for Ukraine Rent Deposit Scheme. This Scheme is operated by Hertfordshire County Council and designed to assist Homes for Ukraine guests to secure affordable private rented accommodation in Hertfordshire.
- 2.14 Ukrainian guests currently accommodated by hosts within Three Rivers may look to make use of this scheme when they can no longer be accommodated by the host, to secure affordable private rented sector properties in the area.
- 2.15 Potentially, this may mean that existing residents would be housed outside of the district in order to accommodate refugees or that households may need to stay in temporary accommodation longer, because a private rental at LHA rate is unable to be procured, or if one is procured within the district, this has been offered to refugees rather than them.
- 2.16 Significant pressure on Council owned temporary accommodation is already expected, due to a predicted increase in homelessness applications as a result of the cost-of-living crisis. Potential extended waiting times in temporary accommodation for customers waiting for long term suitable accommodation, would force the Council to rely on the use of expensive nightly let accommodation.
- 2.17 Even with efficient management of the budget for temporary accommodation provided to Housing Services and the Government provided Homelessness Prevention Grant, increased use of nightly let accommodation may lead to significant budgetary pressure.
- 2.18 Furthermore, due to an overall increase in homelessness at a national level, there is a significant increase of local authorities who require the use of nightly let accommodation. Therefore, nightly let accommodation located within, or close to the district, is ever increasingly hard to source.

- 2.19 This may mean that local families for whom the Council are required to provide temporary accommodation would be housed further away from the district and a significant distance from employment, medical care, education, and support.
- 2.20 The Home Office have confirmed that the funding packages attached to these safe and legal routes in 2025 will not change. Therefore, no additional funding, beyond the historic funding levels, will be provided to local authorities taking part, to reflect current inflation levels or the impact on the private rented sector from the cost-of-living crisis.
- 2.21 If funding provided to the Council for participation in these had been increased, for example, additional funding made available by Government for the Council to source private rental properties within the district at market rent for these individuals, we may not see the impact predicated on the private rented sector and temporary accommodation costs detailed above.
- 2.22 However, as the Council would be required to seek accommodation for this cohort from the private rented sector properties in the district priced at LHA rate, the impact may be significant.
- 2.23 It is important to note that the Council have previously participated in prior resettlement schemes when capacity or funding has allowed.
- 2.24 The Council fulfilled our commitment to resettle 10 Syrian refugees (two households) as part of the Syrian Vulnerable Persons Relocation Scheme (SVPR).
- 2.25 The Council have resettled two Afghan families in the district under the Afghan Relocation and Assistance Program (ARAP) since the evacuation of Afghanistan.
- 2.26 In addition to the above Afghan families resettled via the ARAP Scheme, the Council have retrospectively agreed to support an additional Afghan refugee family, who found their own accommodation within Three Rivers after voluntarily leaving Home Office provided accommodation (bridging hotel).
- 2.27 The Council have committed to participation in the Local Authority Housing Fund (LAHF) Rounds 1 and 2. These schemes will provide the district with 23 properties that are designated for initial use by Afghan and Ukrainian refugees.
- 2.28 The Afghan and Ukrainian households to be housed in these properties will be supported by the Council's Community Liaison Officer.
- 2.29 This Officer is a part time resource for Housing Services and would not have the capacity to support any additional commitment beyond what is already predicted.

### **3 Options and Reasons for Recommendations**

- 3.1 Option 1 - For Committee to agree a figure of how many refugees that the Council will commit to house and support within the District in 2025, that will be confirmed to the Home Office in the consultation response.
- 3.2 Option 2 – For Committee to approve no response to the consultation, therefore, confirming zero capacity for 2025.
- 3.3 Option 3 – For Committee to approve a response to the consultation confirming zero capacity for 2025, however, informing the Home Office that if additional funding was to be provided to the Council to participate, this would be considered. If

appropriate, this option for response may be submitted as a joint response to the consultation in collaboration with the nine other Hertfordshire local authorities and Hertfordshire County Council.

- 3.4 Due to the current and ongoing pressures on Housing Services, lack of additional funding beyond the historic funding levels provided and the availability of affordable accommodation (properties priced at LHA) within the District, it is recommended that Committee approve a response to this consultation confirming a zero capacity, however, informing the Home Office that if additional funding was to be provided to the Council to participate, this would be considered.
- 3.5 It is recommended that any decision on a joint response be delegated to the Chief Executive of the Council, in consultation with the Leader of the Council.

#### **4 Policy/Budget Reference and Implications**

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets.
- 4.2 The recommendations in this report relate to the achievement of the following performance indicators. -
- 4.2.1 HN01 – Maximum number of households living in temporary accommodation on the last day of the quarter.
- 4.2.2 HN03 – Maximum number of households in temporary accommodation throughout the year.
- 4.2.3 HN06 – Promote access to the private sector lettings in order to prevent and relieve homelessness.
- 4.3 The impact of the recommendations on this/these performance indicator(s) is:

Should properties in the private rented sector within the district at LHA rate be procured by Housing Services, these would be required for the use of resettlement of individuals arriving through safe and legal migration routes in the first instance.

This would likely cause extended waiting times for households in temporary accommodation provided by the Council and would restrict the access to private rented sector properties for households for whom the Council have accepted the full housing duty.

#### **5 Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website**

- 5.1 None specific.

#### **6 Financial Implications**

- 6.1 An increased use of nightly let accommodation may cause significant budgetary pressure for Housing Services.

#### **7 Risk and Health & Safety Implications**

- 7.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in

the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

7.2 The subject of this report is covered by the Housing Services service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

<b>Nature of Risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> <i>(tolerate, treat, terminate, transfer)</i>	<b>Risk Rating</b> <i>(combination of likelihood and impact)</i>
A further commitment to resettlement of individuals may result in increased use of nightly let temporary accommodation	Significant budgetary pressure on Housing Services and the Council.	For Committee to approve a response to the consultation confirming zero capacity for 2025, however, informing the Home Office that if additional funding was to be provided to the Council to participate, this would be considered	Tolerate	6

7.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> ----- <b>Likelihood</b> ----- ▼ <b>Remote</b>	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8
	<b>Low</b> 1	<b>Low</b> 2	<b>Low</b> 3	<b>Low</b> 4
<b>Impact</b>				
<b>Low</b> ----- ► <b>Unacceptable</b>				

**Impact Score**

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

**Likelihood Score**

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

7.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**8 Recommendation**

8.1 **That:**

For Committee to approve a response to the consultation confirming zero capacity for 2025, however, informing the Home Office that if additional funding was to be provided to the Council to participate, this would be considered.

That any decision on a joint response be delegated to the Chief Executive of the Council, in consultation with the Leader of the Council.

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**Data Quality**

Data sources: Nil

Data checked by: N/A

Data rating:

1	Poor	N/A
2	Sufficient	N/A
3	High	N/A

**Background Papers**

None