

CABINET

13 APRIL 2017

REFERENCE FROM BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE – PETITION

Portfolio Holder: Councillor Howard Doe, Deputy Leader and Housing and Community Services

Report from: Richard Hicks, Director of Regeneration, Culture, Environment and Transformation

Author: Michael Turner, Democratic Services Officer

Summary

The Cabinet is requested to consider the petition referral request submitted to the Business Support Overview and Scrutiny Committee on 13 April 2017.

1. Budget and policy framework

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the lead petitioner usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 1.2 The petition scheme is set out in full in the Council's Constitution at: <http://www.medway.gov.uk/pdf/4.01%20-Council%20rules.pdf>
- 1.3 Any budget or policy framework implications will be set out in the specific petition response.

2. Background

- 2.1 The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will

be referred immediately to the relevant Director for consideration at officer level.

- 2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.
- 2.3 For petitions where the petitioner organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

3. Petition for the Council to provide shelter and food for homeless people

3.1 This petition was referred to the Business Support Overview and Scrutiny Committee because the petitioner organiser had indicated that they were dissatisfied with the response received from the Director.

3.2 This e-petition, containing 80 e-signatures states:

“We the undersigned petition the Council to provide shelter and food for homeless people.

There has been a noticed increase in homeless people dying in 2016. I would like to prevent this from happening in the New Year ahead of us.”

Director’s comments in response to submission of petition

3.3 The Director of Regeneration, Culture, Environment and Transformation responded to the petitioner organiser on 16 February 2017 as follows:

3.3.1 “Thank you for your petition received on 2 February 2017 requesting that Medway Council provides shelter and food to homeless people.

3.3.2 We can appreciate your concerns for those households who find themselves in the unfortunate position of being homeless and we can confirm that there are a range of statutory and voluntary services in place in the Medway area providing shelter and food to homeless households.

3.3.3 Medway Council accommodates homeless households in accordance with legislation and government guidance. However, there are those to whom a local housing authority does not owe a duty to accommodate. In instances where we have no statutory duty to accommodate, Medway Council will provide advice, guidance and signposting to try to prevent households from rough sleeping.

3.3.4 In addition to the above, Medway Council has introduced incentives for landlords to work with the Council to secure single rooms for those that the authority may not have a duty to accommodate. We directly commission 93 rooms and flats for homeless people through the Housing Related Support budget, and Housing Benefit funds approximately 340 units of accommodation for vulnerable people to prevent them from becoming homeless through intensive housing management and tenancy support.

3.3.5 The reasons for rough sleeping can often be complex and therefore we have several groups/forums that meet to discuss and attempt to address the issues associated with rough sleeping. These groups include:

- Medway Public Health Blue Light Project. This multi agency forum meet to discuss people who have problematic levels of drinking, substance misuse and related anti social behaviour.
- The Medway Homelessness Forum is hosted and organised by Medway Council and meets on a half yearly basis to share information, discuss best practice and provide updates e.g. the emergency night shelter provision.
- The Strategic Housing Service currently facilitates homelessness task and finish groups, which report into the Homelessness Forum. Three groups are currently set up to focus work on Young People, Offenders and Rough Sleepers.

3.3.6 Despite our work, along with our partners' work and the work of local charities, there are those who are rough sleeping. I can understand your concerns for rough sleepers in the Medway area, particularly during times of severe weather. I confirm that Medway Council implements a Severe Weather Emergency Protocol (SWEP) in order to safeguard rough sleepers during extended periods of cold weather.

3.3.7 When the weather is forecast to be freezing or below for three consecutive days, SWEP is triggered on day one. During SWEP the Council will accommodate any person who is at risk if they continue to sleep rough during the course of the severe weather and have nowhere to sleep indoors (indoors does not include cars, sheds or garages).

3.3.8 There is voluntary shelter provision in Medway in the form of the Medway Winter Night Shelter. The Medway Winter Night Shelter is a project run in collaboration between local churches and the Strood Community Project providing 12 beds per night at a number of venues on a rotational basis. The night shelter opened in early January 2017 and is planned to stay open until March 2017.

3.3.9 You may also be aware of HALO, which was set up independently by All Saints Church in Chatham with a capacity of 14 beds. This shelter opened on 24 December 2016 and closed when the Winter Night Shelter opened. It will however act as an overspill for the winter night shelter and reopen if demand exceeds Winter Night Shelter capacity.

3.3.10 Concerning providing food to homeless households, Medway Council does not have a statutory duty under the homeless legislation to provide food to homeless households. However, there are services in the Medway area that any household can approach for the provision of food vouchers.

3.3.11 Overall, I confirm that Medway Council provides accommodation to households in accordance with the law and we believe the range of services already available to prevent rough sleeping and to support rough sleepers makes the best use of available resources. As above, in addition to the work

carried out by Medway Council, voluntary services are also in place providing shelter and food to those who are in need of it.”

Petitioner Organiser’s request for petition to be considered by Overview and Scrutiny

- 3.4 On 20 February 2017, the petitioner organiser requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The letter of referral states:
 - 3.4.1 “I/we first submitted Petition GE010 to Medway Council on account of the fact there is a noticeable increase of homelessness in the Medway towns and, in particular, widespread concern that despite any and all measures currently taken by the Council to assist homeless people there were newspaper reports of death on the streets.
 - 3.4.2 In response, Medway Council (courtesy of Richard Hicks/Hayley Taylor, Director of Regeneration C.E.T.) detailed the measures the Council undertake to assist in the matter. Whilst these are most needed and welcome, the premise of the Petition is that these levels of assistance have been shown to have clearly failed and that more needs to be done in order to prevent further deaths in what is now a fast growing crisis on Medway streets.
 - 3.4.3 I believe the key phrase on the Council’s response to be that the “range of services” they provide is “the best use of available resources”. This is not disputed. It is understood that finance is a matter of Council priorities on any number of things from repairing roads to emergency services. Nevertheless, this does not change or address the fact that the current range of services provided to homeless people is insufficient on a quantitative basis. The resources available have to meet the problem and/or priority, not the other way around.
 - 3.4.4 I/we understand the Council’s difficulties but to reply, in essence, that the Council meets its statutory duties and otherwise contributes, fails to actually recognise the growing extent of the crisis. It has not resolved the basis of the Petition insofar that *more* food and shelters are now required. To ignore the problem will mean that other essential services e.g. Ambulance and Police services, are stretched to meet increasing demand. In brief, it is more fiscally appropriate to increase ‘prevention’ programmes as well as recognising that conditions are actually getting worse (increasing homelessness, more related problems) and that, therefore, more resources are required on a fundamental and emergency basis. The subject of the Petition is basically overlooked: “we believe the range of services already available makes the best use of available resources”. Maybe it does but, evidentially, it does not entirely prevent avoidable street fatalities connected with homelessness.
 - 3.4.5 Essentially the Petition is a plea on behalf of the homeless, asking for food and shelter. The Petition is not answered by saying ‘we’re doing the best we can with what we’ve got’. The Charities and Community Groups mentioned in the Council’s response are themselves “*already*” contributing their utmost to this social breakdown, without any statutory motivation and, were it not for these, the true extent of the epidemic presented to the Council would be very public and patently unacceptable. The Council’s duty is to its population, not just the law. I would submit it is folly for the Council *not to* prevent the full

ramifications of increasing hunger and homelessness, ever more inevitable at a later date, rather than attend now with greater vigilance as a necessary, overriding and immediate priority. As well as considering fiscal costs in prevention, the Council should be wary of the total costs (in many ways) of the, presently evident, failure of prevention. Food, water and shelter are as basic and important as 'issues' get. It is the minimum for survival before we even begin to think about anything else.

- 3.4.6 Accordingly, may I/we respectfully request a Review by the relevant Overview and Scrutiny Committee.”

Director’s comments in response to the Petitioner Organiser’s request for petition to be considered by Overview and Scrutiny

- 3.5 In response to the Petitioner Organiser’s request for the petition to be considered by the relevant Overview and Scrutiny Committee, the Director provided further comment as follows:
- 3.5.1 “Medway Council is committed to homelessness prevention, and is working to strengthen our approach to build on the positive work undertaken to intervene at earlier stages where a household’s tenancy is threatened. Whilst there is already proposed legislation to change the way that local authorities deal with prevention, Medway Council is looking at its own structure and resources to see how things can be improved.
- 3.5.2 We recognise that the majority of people reporting as homeless or threatened with homelessness can be assisted effectively with short term interventions, such as access to the private sector, temporary accommodation or advice and signposting. We further recognise that these measures are separate to those which would be needed to address the more complex issues experienced by the majority of people sleeping rough. We share the petitioner’s concern that this issue seems to be on the increase and Medway Council is committed to dealing with these vulnerable people in the most effective way possible.
- 3.5.3 There are many reasons why an individual may sleep rough and people’s basic needs are often underpinned by a complex history and range of vulnerabilities. It would be remiss of us to believe that we could resolve these issues simply through the provision of food and shelter, as many rough sleepers have been provided with accommodation in the past and assisted with claiming benefits, only to have these tenancies fail due to other, unaddressed, vulnerabilities. It is clear that a more comprehensive approach is needed and we are looking at areas of best practice in effective remedies to rough sleeping across the country, and beyond to international models, to inform this approach.
- 3.5.4 Representatives from the Council have held discussions with a number of voluntary agencies and they confirm that people on the streets have access to food – there are a number of organisations which provide food to homeless people, via day drop in centres, soup kitchens and volunteers who take food to people on the streets. We recognise the effort, time and resource the voluntary agencies put in, and want to work in tandem with them to address the range of issues around rough sleeping. We will work with voluntary agencies to help them to access training on health and safety, safeguarding

from abuse, safer recruitment practice, emergency first aid and dealing with people who have overdosed.

3.5.5 We have outlined some of the measures in our Draft Homelessness Prevention Strategy, which is currently out for consultation:

- Develop a Homelessness Charter with statutory and voluntary sector partners during 2017/18.
- Strengthen working relationships with Public Health to improve the health and wellbeing of people who are homeless.
- Provide information on services for rough sleepers at key places
- Work with partner organisations to assess the feasibility of piloting the Housing First model in Medway.
- Continue to explore options to fund an outreach service to identify rough sleepers and signpost them to support services.
- Work with the Blue Light Group to identify and work with individuals who frequently use emergency services. Interventions will be determined on a case-by-case basis and support will be tailored around the specific needs of the individual.

3.5.6 Additionally, proposals are being developed as to how statutory organisations can assist with resource to provide co-ordination to the range of work that is already taking place with rough sleepers. The undertaking of this work, as well as other measures identified in the Homelessness Prevention Strategy will frame the Council's revised approach to dealing with rough sleepers."

Referral of petition to Business Support Overview and Scrutiny Committee

3.6 The petition was subsequently referred to and discussed by the Business Support Overview and Scrutiny Committee at its meeting on 13 April 2017. The following comments and issues were raised by the Committee:

3.6.1 Members considered a report regarding a petition referral request which fell within the remit of the Business Support Overview and Scrutiny Committee.

3.6.2 A petition had been submitted calling on the Council to provide shelter and food for homeless people. Because the petitioner organiser was dissatisfied with the response received from the Director, she had asked the Committee to review the steps the Council had taken in response to the petition. The reasons why the lead petitioner considered the response to be inadequate were set out in paragraph 3.5 of the (Overview and Scrutiny) report and the Director's response in paragraph 3.6.

3.6.3 Miss Surgeon, the Lead Petitioner, and Mr Surgeon were invited to address the meeting. They commented that homelessness impacted on society as a whole as well as the Council and other services. They considered that the cap on housing benefits would lead to more homelessness. They asked that the new Homelessness Strategy make provision for emergency shelters for homeless people to be available in all conditions and not just in cases of severe weather.

- 3.6.4 Some Members agreed with the premise of the petition that the Homelessness Strategy was inadequate, arguing it was focused on inputs and not the outcomes of avoiding rough sleeping and addressing the reasons for homelessness. Rough sleeping was visible to everyone, it was an issue the whole community cared about and it had a corrosive effect on society. Whilst the Council's limited resources were recognised it was argued the Council needed to do more. A number of homeless people had died recently in Medway and this was unacceptable. The fact that the Council met its statutory obligations was not enough. It was recognised that dealing with homelessness was not straightforward but it needed to be given a higher priority with best practice from other areas learned from. The severe weather protocol should be introduced earlier – although it was recognised that had happened on occasion. The possibility of a charter setting out the basic entitlements for people who were homeless was suggested. The lack of affordable housing was seen as a significant cause of homelessness.
- 3.6.5 One Member made the point that the Council was doing a lot more for homeless people than other areas of Kent. The response from the Director showed that the Council was doing a great deal and highlighted best practice.
- 3.6.6 The Head of Strategic Housing advised that a revised Homelessness Prevention Strategy was out for consultation and Members' views would be welcomed. The Council was looking at how the number of shelters could be increased for next winter. £1.17m had been invested in supported accommodation for single people. The cold weather provisions were being reviewed this year. Clearer guidance on rough sleepers would be issued and a joint approach would be developed to address the needs of individuals and identify what interventions they needed.
- 3.6.7 A Member then moved that the petition be referred to Cabinet for consideration, together with the comments made by the Committee.

Decision:

- 3.6.8 The Committee agreed to refer the petition to Cabinet for consideration, together with the comments made by the Committee as set out above.

Director's comments in response to consideration of the Petition by Business Support Overview and Scrutiny Committee

- 3.7 The Council welcomes the comments of the Petition Organiser and the Business Support Overview and Scrutiny Committee and is working closely with partners to ensure that there is a co-ordinated approach to addressing the needs of rough sleepers in Medway.
- 3.8 The Council is dedicating resource towards the support of rough sleepers and although bids to DCLG in November 2016 for additional funding for the prevention of homelessness and for those already rough sleeping were unsuccessful, they have been used as a direction to take forward work within existing resources.
- 3.9 Medway's Homelessness Prevention Strategy has been developed in conjunction with partners involved in the provision of services for rough

sleepers, as well as the broader groups at risk of homelessness. Consultation concluded on 21 April 2017 and officers are working to incorporate feedback where possible. The strategy commits to a Charter for rough sleepers to set out what organisations will do to contribute towards sustainable and meaningful support for those that are homeless.

- 3.10 Following a review of best practice nationally and internationally, a multi agency task group has been established to focus on and provide targeted interventions towards rough sleepers, drawing together the various efforts of statutory and voluntary organisations. This group will work on a similar framework to the existing Blue Light Project, meeting on a weekly basis.
- 3.11 Ten individuals accessing the winter shelter this year were assisted to move on to alternative accommodation through the Council's homelessness team rather than returning to rough sleeping. Work is also being undertaken to review the provision of winter shelters in Medway as well as the arrangements for triggering that provision under the severe weather emergency protocol (SWEPE).
- 3.12 These actions, as well as others mentioned throughout this report, will underpin the Council's approach to addressing rough sleeping in Medway. However, due to the complexity of individual cases we recognise that this approach will need ongoing review and the involvement of partners to ensure it remains effective.

4. Risk Management

- 4.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

5. Financial and Legal Implications

- 5.1 Any financial implications arising from the issues raised by the petitions are set out in the comments on the petitions.
- 5.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme.

6. Recommendation

- 6.1 The Cabinet is requested to consider the petition referral request and Director's comments set out in paragraph 3.7 of the report.

7. Suggested Reasons for Decision

- 7.1 This petition has been referred to the Cabinet in accordance with Overview and Scrutiny's powers as set out in the Petitions Scheme.

Lead officer contact

Michael Turner, Democratic Services Officer, (01634) 332817
michael.turner@medway.gov.uk

Appendices:

None

Background papers:

None