

## **HSHAWB 37 Cyngor Bwrdeistref Sirol | Conwy Conwy County Borough Council**

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Senedd Cymru | Welsh Parliament

### **Y Pwyllgor Llywodraeth Leol a Thai | Local Government and Housing Committee**

### **Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) | Homelessness and Social Housing Allocation (Wales) Bill**

Ymateb gan: Cyngor Bwrdeistref Sirol Conwy | Evidence from: Conwy County Borough Council

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#### **What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?**

(We would be grateful if you could keep your answer to around 500 words).

The Homelessness and Social Housing Allocation (Wales) Bill proposes to reform existing legislation on homelessness and social housing allocations in support of the aim of ending homelessness in Wales. Conwy County Borough Council (CCBC) welcome the Bill's focus on early prevention, removal of access barriers, multi-agency collaboration, and a person-centred approach.

Our team were proud to contribute their expertise on the Expert Review Panel and to have been a part of developing legislation which has been shaped by the experiences of people who have experienced homelessness. We welcome the requirement for homeless strategies to be shaped by people with lived experience, which is an approach we have already embedded in Conwy.

Over the past two years CCBC has shifted resource and focus to work to the spirit of the ambitions set out in the White Paper. We also have embedded strong partnership arrangements with our RSL partners which leave us well positioned to move forward with some areas within the Bill including

•Increasing the definition of "threatened with homelessness" from 56 days to six months and further homelessness prevention duties to make support available to prevent repeat cycles of homelessness.

- Increasing social housing allocations to homeless households, including a new duty on social landlords to not unreasonably refuse a request from a local housing authority to rehouse a statutory homelessness applicant
- Collaborative working including creating new duties on public bodies to ask and act and support early identification of people at risk of homelessness.
- Seeking the views of homeless persons
- Provision for Vulnerable People

## **What are your views on the provisions set out in Part 1 of the Bill - Homelessness (sections 1 -34)? In particular, are the provisions workable and will they deliver the stated policy intention?**

(We would be grateful if you could keep your answer to around 500 words).

We fully support and recognise that a focus on earlier intervention and prevention is a key shift to reduce the number of households experiencing the trauma of homelessness and repeat homelessness. Prevention is an approach embedded at the heart of services wider than housing across Conwy. We are proud of this approach delivering positive outcomes and welcome this being formalised within the Bill.

We also know there will be challenges for this shift to achieve the ambition as figures suggest only a small proportion of people currently approaching the council 'threatened with homelessness' do so before the 56-day window. Whilst speaking to over 140 people experiencing homelessness in Conwy as part of our 'lived experience' consultation nearly 50% of people told us that remaining in their home had not been an option. This means an adequate supply of affordable homes is critical to prevent homelessness. We are currently analysing the 186 'not homeless' decisions made last year to better understand the impact on resource.

Identifying and responding effectively at an earlier stage will be an important shift which will require time to fully embed. Achieving meaningful outcomes will require significant staffing resource alongside revenue funding to deliver solutions. While we welcome the recent increases in the Housing Support Grant, the funding levels to date have still fallen short of what is needed to enable truly innovative and effective approaches to preventing homelessness. We believe this aspect of the Bill will be truly effective as long as there is recognition of the need

for resource, collaboration and the tools available to achieve full impact including an adequate supply of homes.

The proposed extension of duties post-discharge (Section 76A), which aims to support individuals in retaining their accommodation, places a new obligation on local authorities to identify those at risk of losing their home and potentially provide support for up to 12 months. Our lived experience consultation revealed that a significant proportion of people felt they would require support after moving into new accommodation. This clearly demonstrates the importance of ongoing assistance during the transition period. However, it is crucial to acknowledge the scale of this commitment: in Conwy alone, we positively discharged nearly 500 cases into accommodation last year. While we fully support the principle of extended support, the successful implementation of this duty will require significant additional resources.

Collaboration and Co-operation and Provision for Vulnerable People -there is strong partnership arrangements established in North Wales and this feels like a natural next step to work already undertaken to ensure collaboration and co-operation is embedded and that preventing homelessness is recognised as 'everybody's business'. There will need to be work undertaken to understand the practicalities of implementation with some named public bodies under pressure. This element of the Bill will support the action above to enable the team to identify and address homelessness at an earlier stage. We welcome the clarity on requirement for joint work between Social Care and Housing functions for young people and strengthening the co-operation and multi-agency approach to prevent homelessness for people with multiple and complex support needs.

**What are your views on the provisions set out in Part 2 of the Bill – Social Housing Allocation (sections 35 – 38)? In particular, are the provisions workable and will they deliver the stated policy intention?**

(We would be grateful if you could keep your answer to around 500 words).

Conwy is part of a regional common allocation partnership. Delivering a common allocations policy over ten years has established a strong partnership approach with our RSL partners. Many of the elements laid out in this Bill will strengthen existing voluntary arrangements here in Conwy.

The partnership has commissioned a housing consultant who is supporting a review of our policy which makes this opportune timing to align to the requirements within the Bill. There is a need for real investment into social housing allocations to ensure the structure, governance and systems can meet the ambitions of the Bill. We are in a strong position in Conwy as part of the sub-regional partnership yet would still see full implementation being a two-year project.

We appreciate that the Cabinet Secretary has taken on board local authorities' concerns regarding the removal of the intentionality element from current legislation. We believe the introduction of the "deliberate manipulation" test is a valuable addition, helping to retain the deterrent effect of the original intentionality provision. However, we feel it is important to highlight a potential unintended consequence of this change: individuals may become stuck in temporary accommodation if a homelessness duty is accepted but the deliberate manipulation test is subsequently upheld, leaving them without a clear route to settled housing.

We fully support the requirement to have an adapted home register but also recognise the impact and resource required to get this in place.

**What are your views on the provisions set out in Part 3 of the Bill - Social Housing Allocation (sections 39 – 43 and Schedule 1)? In particular, are the provisions workable and will they deliver the stated policy intention?**

(We would be grateful if you could keep your answer to around 500 words).

**What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?**

(We would be grateful if you could keep your answer to around 500 words).

**Implementation - Phased Approach**

We support the proposals to abolish entitlement by reference to priority need and intentional homelessness and agree these will deliver the ambitions of the Bill helping more people and reducing some of the barriers currently faced. In Conwy last year we made only 6 non-priority decisions and 15 intentional decisions. We fully support the intention to implement reforms that remove the barriers to

providing person centred, trauma informed approach to homelessness and tests that did not take account of the impact trauma can have on behaviour.

That said, we are concerned about how persistent breaches of rules in temporary accommodation will be managed under the proposed changes. While we fully recognise and support individuals with complex needs - and are actively building on our 'Housing First' pilot to better support those unable to cope in traditional temporary settings - challenges remain. In cases where behaviours are not linked to vulnerability, we risk exhausting all provider options while still retaining a statutory duty. Based on current trends, we estimate that approximately 50 cases per year involve duties being ended due to non-cooperation or persistent breaches of accommodation rules. This presents a significant operational and resource challenge that must be addressed.

There is some nervousness amongst local authorities about the changes to the local connection criteria. The impact will need to be closely monitored and arbitration support from the Welsh Government could be the solution to resolving any cross-boundary disputes.

We are pleased that the views of Local Authorities have been reflected in these areas being phased alongside investment in housing supply so that they realise the intended ambition and do not risk unintended consequences or cause more pressures in the system.

The embedding of areas of early implementation along with ongoing work to increase supply of homes will ensure that elements of the Bill to widen duties can be implemented without risking worsening situations for Local Authorities and people experiencing homelessness.

### Supply of Affordable Homes

In Conwy, we operate with the belief that everyone deserves a home that is affordable and secure - recognising that safe housing is a basic human need, firmly embedded in Maslow's hierarchy of needs. We also acknowledge that housebuilding has been insufficient since the post-war period. The abolition of the Right to Buy has undoubtedly helped in retaining existing stock, but the reality remains: there are simply not enough affordable homes to meet demand.

Welsh Government states that "legislative reform is a necessary step to achieve systemic transformation alongside broader changes in policy and practice, and investment in housing supply." We fully agree - these reforms must be phased in tandem with efforts to deliver a sufficient and sustainable housing supply. A

robust pipeline of affordable homes is essential both for prevention and for providing effective move-on options from temporary accommodation.

In Conwy, our housing supply has been significantly affected by the challenges developers and contractors faced following the Covid-19 pandemic - disruptions that continue to impact delivery. Despite this, we have actively pursued alternative routes to increase supply, including bringing empty homes back into use and being an early adopter and strong supporter of Leasing Scheme Wales. While current projections are encouraging, with over 1,000 affordable homes expected over the next three years, this will still fall short of the level needed to meet the demands of prevention and move-on over the next five years.

## **How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation, as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?**

(We would be grateful if you could keep your answer to around 500 words).

## **Are there any unintended consequences likely to arise from the Bill?**

(We would be grateful if you could keep your answer to around 500 words).

As set out in point 14

## **What are your views on the Welsh Government's assessment of the financial implications of the Bill, as set out in Part 2 of the Explanatory Memorandum?**

(We would be grateful if you could keep your answer to around 500 words).

As set out in responses above

## **Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?**

(We would be grateful if you could keep your answer to around 500 words).

Children and Young People;Communities ;Equality and Human Rights;Housing;Justice;Local Government;Planning

