



In Focus

Homelessness Reduction Bill (HL Bill 96 of 2016–17)

Summary

The [Homelessness Reduction Bill](#) is a private member's bill introduced in the House of Commons by Bob Blackman (Conservative MP for Harrow East) and sponsored in the House of Lords by Lord Best (Crossbencher). It has completed all its stages in the House of Commons and received first reading in the House of Lords on 30 January 2017. The Bill is scheduled to have its second reading on 24 February 2017. This briefing provides a short overview of the contents of the Bill, its progress through the House of Commons and external commentary.

The Bill aims to refocus local authority efforts on the prevention of homelessness. It places duties on local housing authorities to intervene at earlier stages in order to prevent homelessness and to take reasonable steps to help those who become homeless to secure accommodation. The Bill also requires local housing authorities to provide new homelessness services to people in their area, expanding on the categories of people they are required to help find accommodation. Setting out the purpose of the Bill, Bob Blackman stated:

The aim of the Bill is, first and foremost, to ensure that no one, but no one, is turned away at the door. Everyone should be entitled to some form of support before they get to the stage where they literally have nowhere safe to stay. No one should go to their council for help, only to be told, “come back when the bailiffs have arrived”.

This Bill ensures that everyone, regardless of priority need status, is entitled to receive free information and advice to help them with their situation; and it means that 56 days prior to someone becoming homeless, they will get help. The council will have to produce a personalised housing plan to create a tailored road map for preventing homelessness in that crucial period, so that both the applicant and the council have an agreed set of steps to fulfil the prevention of homelessness.¹

According to the Office for National Statistics (ONS), local authorities accepted 14,930 households as being statutorily homeless between 1 July and 30 September 2016. This represented a fall of one percent on the previous quarter, but up two percent on the same quarter of last year. The ONS also reported that the total number of households in temporary accommodation as of 30 September 2016 was 74,630, representing a 55 percent increase on the figure of 48,010 on 31 December 2010.²

Key Provisions

The Bill consists of 13 clauses. Clause 1 would amend section 175 of the Housing Act 1996 to make changes to the way that local housing authorities assess the point at which a person either becomes homeless or is threatened with homelessness.

Clauses 2 to 6 focus on the duties of local housing authorities to prevent and reduce homelessness. Clause 2 would extend the duty to provide advisory services in the 1996 Act, by placing a duty on local housing authorities to provide, or secure the provision of, free information and advice services to anyone in the authority's area on:

- preventing and relieving homelessness;
- the rights available to them and help that is available from both the authority and others, and;
- how to access that help.

Clause 3 would require housing authorities to assess people deemed eligible for assistance and to agree a plan of support with them. Clauses 4 to 6 would place a duty on local authorities to take reasonable steps to prevent homelessness. This would include securing suitable accommodation for an individual, instructing housing authorities to help households at risk of homelessness, (regardless of whether they are in 'priority need' or not), and placing a duty on authorities to take steps for 56 days to relieve homelessness by helping any eligible applicant in secure accommodation.

Clause 7 sets out the procedures which would apply when an applicant who is either homeless or facing homelessness refuses to cooperate with steps set out in their personalised plan. A personalised plan outlines the support an individual needs to be able to have and retain accommodation. Clause 8 details that all care leavers under the Bill would be deemed to have a local connection in the area of the local authority that owes them a duty of care. Clause 9 sets out decisions by the local housing authority which could be reviewed. Clause 10 states that public authorities must ask a person who is homeless, or at risk of homelessness, to agree to a local housing authority being notified. Clause 11 would insert a new section 214A into the 1996 Act to enable the Secretary of State to produce a code of practice dealing with local authorities' functions in relation to homelessness or homelessness prevention. Clause 12 would require a local housing authority to ensure specific requirements set out in article 3 of the [Homelessness \(Suitability of Accommodation\) \(England\) Order 2012](#) are in place to find accommodation for vulnerable households in the private rental sector.

Lastly, clause 13 contains the commencement provisions and states that the Bill would extend to England and Wales.

Further Information

Pre-Legislative Scrutiny

The Bill was introduced in the House of Commons on 29 June 2016. Following the Bill's introduction in the Commons, the House of Commons Communities and Local Government Committee announced in August 2016 that it would be conducting a pre-legislative inquiry into the Homelessness Reduction Bill. The inquiry would examine the Bill, calling for evidence on its possible impact on overall levels of homelessness, the benefits of prevention activity as a statutory duty and proposals for other measures.³

On 14 October 2016, the Committee published its report on the Bill. The report recommended revisions to the wording of certain clauses in the Bill, in addition to calling for "consideration of a stronger duty for councils to accommodate certain groups within a reasonable distance of their last address", for example, "individuals with mental health conditions or with children in school".⁴ According to the chair of the Committee, Clive Betts (Labour MP for Sheffield South East), the Committee was "mindful that the Bill will increase pressure on local authority resources".⁵ However, he stressed that, despite concerns, the Committee "strongly supports the Homelessness Reduction Bill".⁶

Second Reading

The Bill received its second reading in the House of Commons on 28 October 2016. During the debate, Bob Blackman detailed his reasoning behind tabling the Bill. The Parliamentary Under Secretary of State for Communities and Local Government, Marcus Jones, stated that the Government was committed to reducing and preventing homelessness, outlining a number of measures it had previously introduced. Mr Jones also stated that the Government was “committed to going even further” and, as a result, would be providing its full support to the Bill.⁷ Whilst the Bill received Government and cross-party support during second reading, concerns were raised by MPs as to the costs the duties would place on local council budgets. However, on 17 January 2017, Mr Jones issued a written ministerial statement to the House of Commons that funding of £48 million would be provided to meet the additional costs for local authorities.⁸

House of Commons Public Bill Committee

The Public Bill Committee met between 23 November 2016 and 18 January 2017. Government amendments to clauses 1 and 11 were agreed. In relation to clause 1, the amendments removed the clause as originally drafted, aside from changes to extend the period of which a person should be treated as threatened with homelessness from 28 to 56 days, replacing it with a duty to treat an individual at risk if they had received a section 21 notice that expired in 56 days or less.

The Government amended clause 11 to provide specific details on the requirements for a code of practice, including that it would be subject to the negative resolution procedure.⁹ However, the process would not need to be used when the codes were reissued. In addition to the Government’s amendments, a number of amendments were tabled by MPs in relation to clauses 3, 4, 9, 10 and 12. However, all of these were withdrawn.

Report and Third Reading

The Bill received its report stage and third reading on 27 January 2017. At report stage, Labour’s Shadow Minister for Housing, Andy Slaughter, tabled new clauses to the Bill. New clause 1 called for the Secretary of State for Communities and Local Government to undertake a review of the Bill, should it become an Act. This included reviewing the impact on reducing homelessness and local authority finances. Alongside the clause, new clauses 2 and 3 proposed certain restrictions on the termination of assured shorthold tenancies and controls on rent increases within a tenancy. However, the new clauses faced opposition from a number of MPs during report stage, who claimed that it could stop landlords from taking on tenants who may turn to the local authority for assistance.¹⁰ As a result, the new clauses were withdrawn.

In addition, 21 government amendments were tabled and passed. The amendments included: changes to clause 7, seeking to clarify that both the relief and main housing duties end for any applicant who, at the relief stage, refuses a suitable offer of accommodation which is available for occupation for at least six months; and changes to clause 12, which sought to expand the classes of applicants that the clause applied to from vulnerable applicants to all individuals in priority need.¹¹

At third reading, Bob Blackman thanked MPs and the Government for supporting the Bill’s progression through the House of Commons. He also thanked Crisis (a homelessness charity), who had “facilitated consultations right across the piece to ensure that the Bill was delivered properly”.¹² In response, Communities and Local Government Minister, Marcus Jones expressed that he was both “very pleased and proud” to speak in support of the Bill’s third reading.¹³ He also announced that the amendments agreed at report stage were estimated to increase the cost of funding to local authorities by £13 million to a total of £61 million over the course of the current spending review, which he confirmed the Government would meet.

Further, Andy Slaughter thanked MPs and the Government for supporting the Bill. However, he also called on the Government to tackle “rough sleeping and the street homeless”, describing the present situation as a “national disgrace”.¹⁴

External Commentary

The chief executive of Crisis, Jon Sparkes, has described the Bill as an “historic opportunity to transform the help available to homeless people”.¹⁵ He claimed that “for 40 years we’ve had a system that fails too many people and turns them away at their time of need. This Bill could help put an end to that injustice once and for all”.¹⁶ Further, Howard Sinclair, the chief executive of St Mungo’s (a homelessness charity and housing organisation), described the Bill as “a major step towards ensuring people get the help they need to avoid the dangers of sleeping rough”.¹⁷ Ahead of the Bill’s second reading, he urged MPs that they “must not miss this once in a generation opportunity to reduce homelessness and rough sleeping”.¹⁸

Further Information

- House of Lords Library, [Homelessness](#), 23 August 2016
 - House of Commons Library, [Statutory Homelessness in England](#), 20 December 2016
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¹ [HC Hansard, 28 October 2016, cols 540–609.](#)

² Department for Communities and Local Government, [Statutory Homelessness and Prevention and Relief, July to September 2016: England](#), 15 December 2016.

³ House of Commons Communities and Local Government Committee, [‘Homelessness Reduction Bill Inquiry Launched’](#), 26 August 2016.

⁴ House of Commons Communities and Local Government Committee, [‘Homelessness Reduction Bill Supported by Committee’](#), 14 October 2016.

⁵ *ibid.*

⁶ *ibid.*

⁷ [HC Hansard, 28 October 2016, col 605.](#)

⁸ House of Commons, [‘Written Statement: Homelessness Reduction Bill’](#), 17 January 2017, HCWS418.

⁹ [HC Hansard, 11 January 2017, col 112.](#)

¹⁰ [HC Hansard, 27 January 2017, cols 552–628.](#)

¹¹ *ibid.*

¹² *ibid.*

¹³ *ibid.*

¹⁴ *ibid.*

¹⁵ Crisis, [‘Crisis Reacts to Publication of Homelessness Reduction Bill’](#), 21 October 2016.

¹⁶ *ibid.*

¹⁷ St Mungo’s, [‘St Mungo’s Welcomes Publication of the Homelessness Reduction Bill’](#), 21 October 2016.

¹⁸ *ibid.*

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