

Housing, Homelessness and Fair Work Committee

11.00am, Wednesday, 13 November 2024

Present

Councillors Meagher (Convener), Bennett, Daggart (substituting for Councillor Bruce), Flannery, Key, Kumar (substituting for Councillor Biagi), Macinnes, Miller, Parker, Pogson and Whyte (substituting for Councillor Jones).

1. Deputations

a) **Strategic Homeless Action Partnership in Edinburgh (SHAPE) (in relation to Item 7.1 on the agenda – Actions required to end the use of unlicensed Houses in Multiple Occupation (HMOs))**

The deputation were grateful for the level of collaboration with officers given the challenges being faced and indicated that they wished to be as supportive as they could. They were however concerned at the timescale the Council found itself under given that no assurances had been provided and that the current plan would not be enough.

The deputation outlined some of the consequences of moving the number of people involved, many of whom were vulnerable, from one form of temporary accommodation to another in a very short timescale and the support they would have to provide through trusted relationships.

The deputation asked the Committee to consider ways in which the period for moving people could be extended to help avoid what could be a significant human impact and would be less likely to create negative consequences.

(See Item 2 below)

a) **Bethany Christian Trust (in relation to Item 7.1 on the agenda – Actions required to end the use of unlicensed Houses in Multiple Occupation (HMOs))**

The deputation asked that the Council continue purchasing beds from the Haymarket Hub Hotel throughout the winter. They indicated that a number of the on-street bedrooms acted as emergency accommodation through the Rapid V Accommodation Welcome Centre and served as a lifeline for some of Edinburgh's most vulnerable people over 30 weeks of the year which included the winter season.

The deputation believed that in the face of a housing crisis and the impending winter period, a balanced approach should be sought in the local authorities'

navigation of the legal considerations and stressed that by keeping the centre open with on -street facilities, the Council supported individuals' privacy and stability, offering people opportunity to rebuild their lives.

The deputation encouraged and commended the Council for working with the Scottish Government to secure a temporary exemption from certain provisions under the Housing Scotland Act 2006, in light of the housing emergency, which would allow the Council to continue purchasing these bed spaces with confidence and without legal risk, while ensuring that all health and safety standards were met.

(See Item 2 below)

2. Actions required to end the use of unlicensed Houses in Multiple Occupation (HMOs)

The Committee had requested that a plan be developed to withdraw from using unlicensed HMO accommodation within 12 months. Following further consideration of the legal position, including in relation to continued spend of Council resources and the obligations of the s.95 Officer, details were provided of an action plan which had been developed to withdraw from this type of accommodation by 30 November 2024.

Motion

- 1) To note the high level action plan attached to the report by the Interim Executive Director of Place, to withdraw all homeless households from unlicensed Houses of Multiple Occupation (HMO) accommodation and allocate them alternative temporary accommodation by 30 November 2024.
- 2) In order to achieve this, to note that officers had considered a number of options to achieve this and have concluded that the only way to comply with the Council's legal duties was to:
 - a) Suspend the Council House Letting policy, other than for people with a disability or those awaiting discharge from hospital, until 7 January 2025.
 - b) Suspend the Council House Repairs policy, other than for people with a disability, until 7 January 2025.
- 3) Accordingly, to approve this change in policy.
- 4) To note that Council officers remained in ongoing dialogue with Scottish Government officials regarding possible steps that would help resolve the housing emergency.
- 5) To note that the Council Leader and the Convener of Housing, Homelessness and Fair Work wrote to the First Minister on the 6 November 2024 seeking urgent support to mitigate current pressures in managing homelessness.
- 6) To agree to consider an updated business case to purchase additional new build properties for use.
- 7) Committee instructs officers to review the existing allocations policy and report back to committee as soon as is possible with a revised policy which reflects the

urgent need to reduce the number of households in temporary accommodation, particularly unlicensed HMO accommodation, alongside other priorities.’

- moved by Councillor Meagher, seconded by Councillor Pogson.

Amendment

- 1) That the Housing, Homelessness and Fair Work Committee notes the intention to withdraw all homeless households from unlicensed Houses of Multiple Occupation (HMO) accommodation and allocate them alternative temporary accommodation by 30 November 2024.
- 2) In order to achieve this, to note that officers had considered a number of options to achieve this and have concluded that the only way to comply with the Council’s legal duties was to:
 - a) Suspend the Council House Letting policy, other than for people with a disability or those awaiting discharge from hospital, until 7 January 2025.
 - b) Suspend the Council House Repairs policy, other than for people with a disability, until 7 January 2025.
- 3) Accordingly, to approve this change in policy.
- 4) To note that Council officers remained in ongoing dialogue with Scottish Government officials regarding possible steps that would help resolve the housing emergency.
- 5) To note that the Council Leader and the Convener of Housing, Homelessness and Fair Work wrote to the First Minister on the 6 November 2024 seeking urgent support to mitigate current pressures in managing homelessness.
- 6) To agree to consider an updated business case to purchase additional new build properties for use.
- 7) Agrees that, should the Scottish Government provide sufficient assurance to the Council that there is no need to urgently decant people from unlicensed accommodation, officers will revert to the committee’s previous decision to implement a phased, 1-year plan to remove people from unlicensed temporary accommodation in order to minimise harm.
- 8) Agrees an update will be provided at the next Housing, Homelessness and Fair Work meeting in early December on this plan’s progress, including the status of the Welcome Hub, as well as a committee briefing in January to set out how backlogs in repairs and allocations from the period of policy suspension will be prioritised / worked through.
- 9) Agrees a report will be prepared for February’s Housing, Homelessness and Fair Work Committee meeting which will set out a longer-term strategy for meeting the city’s temporary accommodation needs, including the business case set out at 1.6 of the report by the Interim Executive Director of Place. Agrees that this report will be cognisant of the needs of changing demographics likely to access Homelessness services in the city as set out in report 7.7 of the committee’s meeting on 1st October, as well as any considerations which come to light

following discussions about expansion of the PSL scheme, due to be considered at Finance and Resources committee on 19th November. Finally, agrees that this report will also set out the potential roles and responsibilities of RSL partners such that committee can take a well-rounded view of how provision of temporary accommodation is currently being provided for in the city, and what will be appropriate in the longer term.

- moved by Councillor Parker, seconded by Councillor Miller

In accordance with Standing Order 22(13), the amendment was accepted as an amendment to the motion.

At this point in the proceedings the following Amendment 2 was proposed:

Amendment 2

To agree the motion by Councillor Meagher as originally submitted.

Voting

The voting was as follows:

The voting was as follows:

For the motion (as adjusted)	-	9 votes
For Amendment 2	-	2 votes

(For the Motion (as adjusted): Councillors Bennett, Flannery, Key, Kumar, Macinnes, Meagher, Miller, Parker and Pogson.

For Amendment 2: Councillors Doggart and Whyte.)

Decision

To approve the following adjusted motion by Councillor Meagher:

- 1) To note the intention to withdraw all homeless households from unlicensed Houses of Multiple Occupation (HMO) accommodation and allocate them alternative temporary accommodation by 30 November 2024.
- 2) In order to achieve this, to note that officers had considered a number of options to achieve this and have concluded that the only way to comply with the Council's legal duties was to:
 - a) Suspend the Council House Letting policy, other than for people with a disability or those awaiting discharge from hospital, until 7 January 2025.
 - b) Suspend the Council House Repairs policy, other than for people with a disability, until 7 January 2025.
- 3) Accordingly, to approve this change in policy.
- 4) To note that Council officers remained in ongoing dialogue with Scottish Government officials regarding possible steps that would help resolve the housing emergency.

- 5) To note that the Council Leader and the Convener of Housing, Homelessness and Fair Work wrote to the First Minister on the 6 November 2024 seeking urgent support to mitigate current pressures in managing homelessness.
- 6) To agree to consider an updated business case to purchase additional new build properties for use.
- 7) To instruct officers to review the existing allocations policy and report back to committee as soon as was possible with a revised policy which reflected the urgent need to reduce the number of households in temporary accommodation, particularly unlicensed HMO accommodation, alongside other priorities.
- 8) To agree that, should the Scottish Government provide sufficient assurance to the Council that there was no need to urgently decant people from unlicensed accommodation, officers would revert to the committee's previous decision to implement a phased, 1-year plan to remove people from unlicensed temporary accommodation in order to minimise harm.
- 9) To agree an update would be provided at the next Housing, Homelessness and Fair Work meeting in early December on this plan's progress, including the status of the Welcome Hub, as well as a committee briefing in January to set out how backlogs in repairs and allocations from the period of policy suspension would be prioritised / worked through.
- 10) To agree a report would be prepared for February's Housing, Homelessness and Fair Work Committee meeting which set out a longer-term strategy for meeting the city's temporary accommodation needs, including the business case set out at 1.6 of the report by the Interim Executive Director of Place. To agree that this report would be cognisant of the needs of changing demographics likely to access Homelessness services in the city as set out in report 7.7 of the committee's meeting on 1st October, as well as any considerations which came to light following discussions about expansion of the PSL scheme, due to be considered at Finance and Resources Committee on 19th November. Finally, to agree that this report would also set out the potential roles and responsibilities of RSL partners such that committee could take a well-rounded view of how provision of temporary accommodation was currently being provided for in the city, and what would be appropriate in the longer term.
- 11) To refer the report to the Governance, Risk and Best Value Committee for further scrutiny of the process which led to the current position.

(References – Housing, Homelessness and Fair Work Committee of 1 October 2024 (Item 12); report by the Interim Executive Director of Place, submitted.)

Declaration of Interests

Councillor Meagher made a transparency statement in respect of the above item as a volunteer with the Bethany Christian Trust.