

## **City of London Corporation** **Temporary Accommodation Allocation Policy**

1.1 This Temporary Accommodation Allocation Policy will provide a framework for the fair allocation of temporary accommodation provided by the City of London Corporation under *Sections 188, 190 or 193 Part VII of the Housing Act 1996* (the Act).

### **Procurement**

2.1 All temporary accommodation provided by the City Corporation is spot purchased and nightly paid. This enables each temporary accommodation placement to be made with the needs of a specific applicant in mind. This also means that when a s193<sup>1</sup> duty is discharged, the unit of accommodation can be returned to the landlord and, for the next applicant, the search for suitable accommodation will begin afresh.

2.2 This procurement policy is made possible by the relatively low number of homeless applications that the City Corporation receives. Should this number substantially increase or the availability of nightly paid accommodation decrease, the preference for nightly paid accommodation instead of long term leases would need to be reviewed.

### **Assessment of suitable locations**

3.1 If the City Corporation has a duty to secure accommodation for a homeless applicant, an assessment will be carried out to determine in which areas it may be suitable for this accommodation to be provided.

3.2 The same location suitability principles apply to accommodation provided under s188<sup>2</sup>, s190<sup>3</sup> and s193. However, interim accommodation under s188 may need to be sourced at short notice. It may also be reasonable to expect a household to tolerate conditions for a short period which would be unsuitable over a number of weeks. Section 17.7 of the *Homelessness Code of Guidance for Local Authorities* (the Code) therefore allows for a degree more flexibility when making an offer of s188 accommodation.

3.3 The assessment will take into account all factors that give an applicant a significant link to the City of London or, should they have previously been living elsewhere, to their home borough. It will assess whether a temporary accommodation placement would have the potential to cause significant disruption to:

- i. the applicant's (or any member of their household's) employment. Applicants who are on parental leave from employment will have their location needs assessed on the same basis as all other employees;
- ii. the applicant's (or any member of their household's) caring responsibilities. Account should be taken of the type and importance of the care household

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<sup>1</sup> Section 193 is the full housing duty. This gives the housing authority a duty to secure that accommodation is available for the applicant. This duty is usually brought to end when the applicant accepts an offer of accommodation under Part VI (allocation from the housing register).

<sup>2</sup> Section 188 is interim accommodation provided while an authority's enquiries into an applicant's homeless application are underway.

<sup>3</sup> Section 190 requires the provision of accommodation for a reasonable period to applicants who have been found intentionally homeless. This is likely to be the same as their s188 accommodation and is unlikely to involve a fresh search.

- members provide and the likely impact the withdrawal would cause, including the cost implications to the City Corporation or another local authority should the informal care arrangement break down due to a change of location;
- iii. the applicant's (or any member of their household's) education. While disruption to educational and support networks may be harmful to the welfare of all children, additional weight should be given to students due to take externally assessed examinations and to students with a SEN statement at a particular school;
  - iv. the continuity of medical, social services and other care received by the applicant (or any member of their household);
  - v. the ability of the applicant (or any member of their household) to continue to receive support from their local support network, where this is essential to their well-being;
  - vi. any other special reason the applicant (or any member of their household) has for retaining links to their home borough, which is essential to their well-being.

3.4 The above factors are not intended to provide an exhaustive list. Any other reasons that have emerged during the course of the City Corporation's enquiries or that are offered by an applicant in support of a placement close to their home borough should be given full consideration.

3.5 An applicant's circumstances should also be viewed holistically. For example, a placement in a neighbouring borough may not, by itself, significantly disrupt an applicant's ability to reach their place of work. However, if their employment is dependent on childcare provided by a family member in a third borough, the combined journey to the childcare provider and then workplace may amount to a significant disruption.

3.6 In the absence of any other factors, the City Corporation views a total, one-way travelling time to an applicant's place of employment of around ninety minutes as reasonable. This will be by the fastest method of public transport that is both affordable to the applicant and available at the time their employment commences and finishes.

3.7 The outcome of this assessment will be used to define the maximum geographic scope of the City Corporation's search for temporary accommodation.

### **Sourcing accommodation**

4.1 Section 208(1) of the Act requires housing authorities to secure accommodation within their district, in so far as is reasonably practicable. This assumes that applicants will be applying to the district in which they currently live. This is not the experience of the City Corporation and most of our homeless applicants work in the City of London but reside elsewhere.

4.2 Section 17.41 of the Code states that housing authorities should wherever possible, secure accommodation that is as close as possible to where an applicant was previously living, so they can retain established links with schools, doctors, social workers and other key services and support essential to the well-being of the household.

4.3 Therefore, when seeking to procure temporary accommodation for an applicant, the City Corporation will begin its search in the district where the applicant most recently resided.

4.4 Section 16.7 of the Code states that the exception to this is where there are clear benefits for the applicant of being accommodated outside of the district. In these cases, such as an applicant at risk of domestic violence, the City Corporation will seek temporary accommodation in the nearest district that is safe for the applicant, so as to enable the applicant to maintain links with support networks and services where possible.

4.5 Section 206(1) of the Act requires that any unit of accommodation provided by the City Corporation or secured from some other person in fulfilment of a housing duty must be available to and suitable for the applicant. Further detail on availability and suitability is provided in Section 17 of the Code. For the purposes of this Allocation Policy it is important to note that accommodation must be:

- i. affordable, taking account of the applicant's financial resources and living expenses;
- ii. of suitable space and arrangement for the applicant and their household, in the light of their relevant needs, requirements and circumstances;
- iii. free from Category 1 HHSRS<sup>4</sup> hazards, including overcrowding;
- iv. as close as possible to where an applicant was previously living.

### **Accommodation outside an applicant's home borough**

5.1 While the City Corporation will endeavour to place all households within the borough where they were previously living, it may not always be possible to procure a unit of accommodation in the district that is available, affordable and suitable. In these cases the City Corporation will continue its search in the boroughs adjacent to the district in which the applicant was previously living.

5.2 Section 48 of the *Supplementary guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012* states that where accommodation which is otherwise suitable and affordable is available nearer to the authority's district than the accommodation which it has secured, then the accommodation which it has secured is not likely to be suitable.

5.3 The City Corporation will therefore exhaust the search for suitable accommodation within an applicant's home borough before beginning a search in the adjacent boroughs. The search in these boroughs must be exhausted before a search begins in the second tier of adjacent boroughs.

5.4 Where an applicant accepts an offer of temporary accommodation outside of the City of London, the City Corporation will, in compliance with s208(2) of the Act, notify the housing authority in whose district the accommodation is situated of the name of the applicant, the number and description of other persons who normally reside with the applicant or might reasonably be expected to do so, the address of the accommodation, the date on which the accommodation was made available and which function the housing authority is discharging in securing the accommodation. This notice will be given in writing within 14 days of the accommodation being made available to the applicant.

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<sup>4</sup> The Housing Health and Safety Rating System allows for the objective assessment of twenty nine categories of housing hazard, including overcrowding. Any breach of the room and space standards under Part X of the Housing Act 1985 is also likely to constitute a Category 1 hazard.

### **Limits to out of borough placements**

- 6.1 The search for suitable accommodation cannot continue expanding outwards from an applicant's home borough indefinitely. Under the supplementary guidance discussed in 5.2 a failure to complete a search in a nearer borough means accommodation in a further borough is likely to be unsuitable. The reverse does not hold and a placement in a distant borough does not become suitable simply because nothing suitable can be found closer.
- 6.2 When making an out of borough placement, the City Corporation will remain within the confines of the assessment of suitable locations set out in section 3 of this policy.
- 6.3 In addition, the City Corporation understands that all of its homeless applicants will have links to Greater London, either through employment, family or other networks. For this reason, we regard any temporary accommodation placement outside of the M25 as unsuitable.
- 6.4 Section 17.41 of the Code states that housing authorities should avoid placing applicants in isolated accommodation away from public transport, shops and other facilities. This requirement was repeated in the *Homelessness (Suitability of Accommodation) (England) Order 2012*. The City Corporation will not make out of borough placements where an applicant would have difficulty accessing general amenities or transport.

### **Difficult cases**

- 7.1 There may be cases where it is not possible to procure accommodation which meets all of the above criteria as fully as we would like. It may prove difficult to reconcile finding appropriate location, other aspects of suitability and time spent waiting in interim accommodation for a suitable temporary placement to be found.
- 7.2 Applicants' preferences on how to respond to these compromises will vary. In these cases, officers will consult with applicants and take their preferences into account.

### **Exceptions to the policy**

- 8.1 A general exception to all aspects of this policy exists where an applicant expresses a preference for accommodation further away from their home borough than the policy suggests would be appropriate. In these cases, the City Corporation will endeavour to act in line with an applicant's wishes.