

ANGUS COUNCIL

NEIGHBOURHOOD SERVICES COMMITTEE - 19 NOVEMBER 2009

HOMELESSNESS (SCOTLAND) ACT 2003 IMPLEMENTATION OF SECTION 11

REPORT BY DIRECTOR OF NEIGHBOURHOOD SERVICES

ABSTRACT: This report informs members of the impact of implementing Section 11 in Angus.

1. RECOMMENDATION

1.1 It is recommended that Committee

- (i) Notes the progress to date in meeting our duties under Section 11 of the Homelessness (Scotland) Act 2003.

2. BACKGROUND

2.1 Reference is made to Item 8 (iii) of the minute of meeting of the Neighbourhood Services Committee of 26 February 2009, which requires the Director of Neighbourhood Services to submit a report on the volume of referrals following in the first 6 months of the introduction of Section 11.

2.2 Section 11 places a duty on landlords and creditors to inform the local authority when they raise proceedings for possession, or serve certain other notices, to alert Councils at an early stage to households at risk of homelessness.

3. CURRENT POSITION

3.1 Between 1 April 2009 and 30 September 2009, 110 Section 11 notices have been received; 18% from Registered Social Landlords, 2.7% from Private Sector Landlords and 79.01% from creditors

3.2 All households notified under Section 11 are written to and offered advice and assistance to tackle their potential homelessness, as part of the Council's homeless prevention strategy.

3.3 Eighty two percent of those contacted in the period in question did not respond to the offer of advice and assistance. A further 12% either withdrew from the assessment process (4%) or made arrangements to repay their debt (8%). Only 5% were provided with information and advice or received a comprehensive assessment of need.

4. PROPOSALS

4.1 Section 11 referrals have increased by a third over the last two quarters. It is unclear whether this trend will continue. At present the administration of the service and the provision of advice and assistance is manageable, equating to approximately 36 hours for administration of the service and 22 hours for assessing need, providing advice and assistance and general case management.

4.2 However, the small number of private sector landlord referrals do not reflect the numbers presenting as homeless during the six month period, and further work is needed to raise awareness amongst private landlords. Can we link a number of homelessness applications specifically to instances where the applicant has been evicted by a private sector landlord following the legal process?

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6. HUMAN RIGHTS IMPLICATIONS

6.1 A basic human right is - a home and family life - and by providing advice and assistance to households who are the subject of a Section 11 Notice, and carrying out assessments if required, we are contributing to protecting/supporting these rights.

7. EQUALITIES IMPLICATIONS

7.1 The issues contained in the report fall within an approved category that has been confirmed as exempt from an equalities perspective.

8. SINGLE OUTCOME AGREEMENT

8.1 This report contributes to the following local outcomes contained within the Single Outcome Agreement for Angus-

- We live longer, healthier lives;
- We have tackled the significant inequalities in Scottish society;
- We have improved the life chances for children, young people and families at risk;
- Our children have the best start in life and are ready to succeed

10. CONSULTATION

10.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report

11. CONCLUSION

11.1 It is too soon to determine whether or not the Section 11 requirement makes a significant contribution to preventing and tackling homelessness. Further awareness raising in the Private Rented Sector is needed to ensure landlords understand the duty placed on them by legislation.

**RON ASHTON
DIRECTOR OF NEIGHBOURHOOD SERVICES**

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

Hsg/NS/AMcK/SF