

REPORT TO: Cabinet

MEETING DATE: 10 September 2019

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Update on East Lothian Rapid Rehousing Transition Plan 2019/20–2023/24 and Changes to Homelessness Legislation

1 PURPOSE

- 1.1 To advise Cabinet of the updated position on the East Lothian Rapid Rehousing Transition Plan (RRTP) 2019/20–2023/24, including the Scottish Government assessment process; resource allocation for 2019/20; corresponding implications for rapid rehousing ambitions and forthcoming changes to homelessness legislation.

2 RECOMMENDATIONS

- 2.1 Cabinet is recommended to note and consider the updated position and concern of officers in respect of the East Lothian RRTP 2019/20-2023/24, including the Scottish Government assessment and evaluation process; resource allocation for 2019/20 and beyond and implications for realising rapid rehousing ambitions, within a wider context of forthcoming legislative change.
- 2.2 Cabinet is recommended to approve Option C, at paragraph 3.15 in respect of the intentionality provisions as detailed in Appendix 2 i.e. to continue operating the intentionality test to all applicants as per the existing policy.

3 BACKGROUND

Rapid Rehousing

- 3.1 The Homelessness and Rough Sleeping Action Group (HARSAG) was established by the Scottish Government in 2017 to consider solutions to end homelessness and rough sleeping. Recommendations were published in June 2018, with the majority of recommendations accepted

by Scottish Ministers across the spectrum of Parliament and welcomed in principle by ALACHO and COSLA. The swift transition to a 'Rapid Rehousing' approach comprises the cornerstone of recommendations, with a corresponding requirement that local authorities prepare RRTP's by 31 December 2018.

The key aims of rapid rehousing are to end rough sleeping; transform the use of temporary accommodation and contribute to ending homelessness across Scotland. Where homelessness cannot be prevented, rapid rehousing refers to:

- A settled, mainstream housing outcome as quickly as possible;
- Time spent in any form of temporary accommodation reduced to a minimum, with the fewer transitions the better; and
- When temporary accommodation is needed, the optimum type is mainstream, furnished and within a community.

3.2 The draft East Lothian Rapid Rehousing Transition Plan (RRTP) 2019/20 to 2023/24 approved by Cabinet in January 2019, acknowledged a range of significant challenges pertaining to homelessness including continuing dependence on B&B for temporary accommodation, within a context of wider demand pressures on housing stock, particularly social rented affordable homes. Notwithstanding this, the draft RRTP set out a bid for £7.221m to support transformation to a rapid rehousing approach, aiming to:

- Create 860 new tenancies (over and above 2017/18 levels)
- Create an additional 102 units of new affordable housing supply
- Re-designate 150 temporary units as permanent accommodation
- Reduce temporary furnished flats from 332 to 182
- Reduce length of stay in B&B to a maximum of 7 days for all households
- Reduce length of stay to a maximum of 9 months in temporary accommodation
- Create 50 Housing First placements

The draft RRTP set out the importance of managing expectations against the delivery of the HARSAG recommendations as accepted by Scottish Ministers and aimed to make a meaningful, although realistic impact by 2023/24, with a recognition that further ongoing action would be required to work towards more ambitious aspirations to end homelessness across the county in the longer term.

3.3 Cabinet was advised of the new strategic policy objective 'rapid rehousing' on 22 January 2019, with the draft East Lothian RRTP 2019/20–2023/24 presented for consideration and approval. It was agreed that following completion of the Scottish Government assessment and evaluation and corresponding resource allocation, amendments

would be made to the draft Plan and the final RRTP presented to Cabinet and the Integrated Joint Board (IJB) for subsequent formal approval.

- 3.4 The Scottish Government provided positive written feedback on the draft East Lothian RRTP 2019/20-2023/24 on 27 February, with a discussion session held 20 May, acknowledging limited changes required to the Plan. A summary of feedback and subsequent changes to the draft RRTP is set out at 7.2 for information. However, notwithstanding positive feedback received, the initial funding identified as required from the 32 RRTPs submitted nationally was substantially above available funding at circa £126m compared with an agreed £19m for distribution across the 32 local authorities (£15m for non-city authorities). In response, the Scottish Government set out a requirement for local authorities to remove capital costs from the RRTP. This was viewed as enabling an assessment of the 'true cost of rapid rehousing', once capital costs, business as usual costs and any funding sourced following submission of the initial RRTP were removed, the Scottish Government sought to capture how local authorities were rewiring their system, how savings were being reinvested and whether there were contributions from partners across public services to help deliver RRTPs. Accordingly, all local authorities were asked to prepare a second iteration of the RRTP. A revised, second version of the RRTP was submitted to the Scottish Government in June 2019, with a total bid of £2.414m (revenue funding only).
- 3.5 Following further review of re-submitted RRTPs by the Scottish Government, and in recognition that a successful transformational move to rapid rehousing will require sufficient resources, an increase in funding to £24m was agreed by Scottish Government.. The distribution of initial funding for 2019/20 has been agreed but has not taken cognisance of costed RRTPs, rather it has been calculated on the basis of a three year average of homelessness assessments from published national homelessness statistics (HL1). This reflects the methodology used to allocate the initial £40k Ending Homelessness Together Funding for preparation of the draft East Lothian RRTP 2019/20 – 2023/24. Written confirmation was provided to local authorities of their allocation for RRTP implementation for 2019/20 in July 2019, with East Lothian Council receiving £160k.
- 3.6 Whilst funding available for 2020/21 and 2021/22 totalling £16m remains to be allocated, the allocation of £160k in 2019/20 points to circa an 80% under funding of the revised Plan (on the presumption of similar resource allocation in years 2 and 3). The decision to allocate revenue grant funding over a 3 year period whilst RRTPs have been developed for a 5 year period will add further complication and require careful management. There is no understanding at present that further funding will be made available in 2022/23 and 2023/24. It is also clear that meeting the initial ambitions of the draft East Lothian RRTP 2019/20 – 2023/24 will not be possible without adequate funding.

- 3.7 A third iteration of the RRTP requires to be prepared, to take cognisance of the financial support that has been made available to support rapid rehousing. The Scottish Government assessment process has however become protracted and delayed and preparation of a third iteration of the RRTP is challenging in that context. Not all local authorities have submitted second iterations for assessment and the Scottish Government recently commenced additional work internally, to include further discussions with local authorities to assist them individually to a position of what the local authority transitional total for rapid rehousing is. Timescales for completion of this work are uncertain.
- 3.8 The draft East Lothian RRTP 2019/20 – 2023/24 articulated works required to achieve system transformation, as requested by the Scottish Government, estimating costs of £7.221m. The second iteration of the Plan removed all references to capital funding requirements, which given the predominantly structural nature of homelessness in East Lothian, comprised a critical element of transformational change. Officers will now prepare a third iteration of the RPTP which will be presented to Cabinet in November 2019. This will set out revised ambitions for limited transformational change in 2019/20 in accordance with financial support of £160k and a likely reduction in funding from the initial funding request for 2020/21 and 2021/22.

Changes to Homelessness Legislation

- 3.9 Preparation of a third iteration of the East Lothian RRTP 2029/20 – 2023/24 is further complicated by a changing legislative framework. Following the Scottish Government Consultation on Local Connection and Intentionality Provisions in Homelessness Legislation, the Scottish Government has stated an intention to commence the Local Connection and Intentionality provisions in November 2019, after further discussions with COSLA, local authorities and others around issues raised in the Consultation. An analysis of Consultation responses is available at <https://www.gov.scot/publications/consultation-local-connection-intentionality-provisions-homelessness-legislation-analysis-responses/>
- 3.10 Local Connection - At present, Local Connection is defined in the Housing (Scotland) Act 1987 as a connection which a person has with an area because:
- they are or were in the past normally resident in it, and this residence was of their own choice; or
 - they are employed in it; or
 - they have family associations; or
 - they have special circumstances.

Local authorities currently have the power under the Act to refer homeless households who do not have a Local Connection with them to another local authority where they do have such a connection. The Scottish Government Consultation invited views on plans to commence

the provision in the Homelessness etc. (Scotland) Act 2003 which allows Scottish Ministers to modify referrals relating to Local Connection and the intention to implement the proposal from HARSAG to suspend referrals in Scotland.

Intentionality - The Housing (Scotland) Act 1987 currently places a duty on local authorities to investigate whether a person applying to them for accommodation became homeless or threatened with homelessness intentionally. The Scottish Government Consultation asked for views on the intention to commence the provision in the Homelessness etc. (Scotland) Act 2003 to give local authorities discretion, rather than the current duty, to investigate Intentionality.

- 3.11 Following the Consultation analysis, the Scottish Government has stated an intention to commence the Local Connection and Intentionality provisions in November 2019, after further discussions with COSLA, local authorities and others around issues raised in the Consultation. The provisions in relation to Intentionality will come into force immediately. This will change the Intentionality provisions under Section 28 of the 1987 Act and give local authorities discretion to investigate and assess whether a homeless application is intentional, with the test changing from a duty to a power. As stated in the Consultation paper, there are currently no provisions in the legislation for the definition of 'Intentionality' to be changed. The Scottish Government has stated that the views expressed in the Consultation on narrowing the definition of Intentionality to focus on instances of applicants 'deliberately manipulating' the homelessness system, will be carefully considered as part of an appraisal of options for taking this work forward.
- 3.12 Ministers have also announced plans to remove the requirement for people facing homelessness to demonstrate a Local Connection to a council area before they can receive support and assistance from that local authority. A process will begin for the Scottish Government to consult further on Local Connection and issue a Ministerial Statement within twelve months of commencement on how these new powers are to be used. Subject to the outcome, this will be followed by a further Scottish Statutory Instrument laid in the Scottish Parliament to implement the changes. The detail of these changes will be developed in collaboration with councils and others.
- 3.13 The Scottish Government has undertaken to monitor the impact of the changes on individuals experiencing homelessness, local authorities and third sector providers using evidence from current data collections and will publish this data regularly. Plans will also be set out for further engagement and possible research to help more fully understand the impact of the changes.
- 3.14 During 2017/18, the Council received 42 homeless applications from households with no Local Connection to East Lothian, rising to 44 such applications in 2018/19. During 2017/18, 82 applicants were assessed as

intentionally homeless, reducing to 55 in 2018/19. It is considered inevitable that changes to Local Connection and Intentionality would directly result in a corresponding increase in the level of acceptances and associated requirements for temporary and permanent accommodation, particularly given close proximity to Edinburgh. The Council's response to the Consultation was clear that notwithstanding the benefits of commencing the current provisions on Local Connection and Intentionality, until the East Lothian RRTP 2019-24 is fully funded and service transformation implemented, the Council would not be in a position to contemplate this.

- 3.15 Reflecting concerns set out above, a detailed options appraisal has been completed in respect of Intentionality provisions attached in Appendix 2. On this basis it is considered that the Intentionality test should continue to be applied to all homeless applicants (Option C), with annual review of this policy as part of wider monitoring of the East Lothian Rapid Rehousing Transition Plan (RRTP) 2019-24.
- 3.16 Scottish Ministers have used powers under the Homelessness etc. (Scotland) Act 2003 to limit the use of unsuitable accommodation for families and children to a maximum of 7 days via the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order 2017. HARSAG have recommended this restriction be extended to all people experiencing homelessness and recently consulted on proposed options. East Lothian Council's consultation response is lodged in the Members Library. https://www.eastlothian.gov.uk/meetings/meeting/16531/members_library_service
- 3.17 Extending the existing restriction to all homeless people will materially impact upon the ability of East Lothian Council to comply and is likely to lead to a significant number of breaches to the order on a regular basis. Any heightened focus on avoiding breaches of the order, if extended, would detract from a focus on rapid rehousing and significantly compromise the ability to achieve RRTP outcomes. Extending the restriction would require increased use of temporary accommodation and remove further permanent housing stock from the system, compounding the problem and is at odds with a rapid rehousing approach.
- 3.18 Council officers have sought an urgent meeting with Civil Servants to raise concerns beyond consultation responses submitted and engagement around the development and resourcing of a RRTP.

4 POLICY IMPLICATIONS

- 4.1 A third iteration of the East Lothian RRTP 2019/20 – 2023/24 will be prepared, following further Scottish Government assessment and evaluation, taking cognisance of the limited financial support available to support rapid rehousing. The revised RRTP will be presented to Cabinet and the Integrated Joint Board (IJB) in November 2019 for approval.

- 4.2 A detailed paper will be presented to Cabinet in due course in respect of Local Connection and updating on further proposed legislative change over the period of the Plan to 2024.
- 4.3 The East Lothian Council Homelessness Operations Policy is currently under review and revision. The policy will be revised as appropriate in accordance with legislative change commencing November 2019 and the updated Scottish Government Code of Guidance.
- 4.4 Further Consultation is anticipated in relation to the Ministerial Statement on Local Connection and a Council response will be submitted as appropriate.
- 4.5 Existing data collection will be amended as part of a wider revised homelessness performance management framework, to ensure the impact of the changes can be measured. This will inform review and monitoring of the East Lothian RRTP 2019-24

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and where negative impacts have been identified, mitigating actions will be put in place.
- 5.2 The draft revised East Lothian Council Homeless Operations Policy will be subject to the Integrated Impact Assessment process, including changes to Local Connection and Intentionality provisions.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The initial draft RRTP set out a requirement for £7.221m to achieve rapid rehousing by 31 March 2024 (£5.225m capital funding and £1.996m revenue funding). The second iteration of the RRTP set out a revised bid for £2.414m revenue funding, comprising year 1: £323k; year 2: £568k; year 3: £579k; year 4: £534k and year 5: £410k. The subsequent funding allocation of £160k for 2019/20 is a significant departure from costs identified as being required in both the draft and second iteration of the RRTP, requiring the RRTP to be amended accordingly for formal approval.

The agreed formula for the distribution of the remaining £16m for RRTP implementation will be subject to further consideration of potential options by Scottish Government and COSLA. At present, funding is available for 2019/20, 2020/21 and 2021/22. This poses difficulties in enabling local authorities to plan further in the future and ensure that RRTPs achieve their ambitions.

Actions set out in the draft and second iteration of the RRTP were predicated on the requirement of £7.221m (and subsequent £2.414m) being met in full, within the wider context of a SHIP resource allocation of £57.871m and separately a continuation of £435k homelessness grant

funding in 2019/20. Council Resources colleagues have confirmed that the homelessness grant funding has now been incorporated into the base budget.

There is likely to be increased budgetary pressure in future following implementation of changes to Local Connection provisions, with increased spend on B&B and temporary accommodation and associated administrative and support costs arising unless RRTP funding is fully provided for and service transformation that arises not only addresses existing pressures but creates capacity to accommodate further demand.

6.2 Personnel – None

6.3 Other – None

7 BACKGROUND PAPERS

7.1 Cabinet Report, 22 January 2019 - Draft East Lothian Rapid Rehousing Transition Plan 2019/20–2023/24

<https://www.eastlothian.gov.uk/meetings/meeting/16253/cabinet>

7.2 **Appendix 1:** Scottish Government feedback on the Draft East Lothian RRTP 2019/20 – 2023/24 and summary of changes

7.3 Members Library Report, June 2019 (90/19) - Scottish Government Consultation on Local Connection and Intentionality Provisions in Homelessness Legislation

https://www.eastlothian.gov.uk/meetings/meeting/16428/members_library_service

7.4 **Appendix 2:** Options Appraisal – Intentionality Provisions

7.5 Members Library Report, August 2019 – Scottish Government Consultation on the Unsuitable Accommodation Order and Improving Temporary Accommodation Standards [MLS Ref 115/19]

https://www.eastlothian.gov.uk/meetings/meeting/16531/members_library_service

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Appendix 1: Scottish Government Feedback on the Draft East Lothian RRTP 2019/20 – 2023/24 and Summary of Changes			
	General Feedback	Areas for Development	Changes to the Draft RRTP
Background		The RRTP is missing some headline figures	Additional headline figures have been included at Appendix 3 of the RRTP
Prevention	The plan is good on detail surrounding current prevention activity and proposed future strategies/measures including for vulnerable groups i.e. domestic abuse, prison leavers, care experienced. Also references a number of frontline service providers	N/A	N/A
Temporary Accommodation	Provides a good overview of current temporary accommodation and analysis of future demand and pressures. Projections for reducing use and time spent in TA include implementing a rolling programme to re-designate temporary accommodation as permanent tenancies, which aims to ‘flip’ 30 per year. There are a number of other proposed policies included that may impact such as discharge duties into the private rented sector (125 pa), review empty homes initiatives & increase lets to homeless households (25 tenancies) and targeted purchasing of Open Market Acquisitions.	Need more evidence about how the time in TA will reduce and how ELC will reduce time in B&B	Rehousing targets are set out at Section 4.3. Modelling by Arneil Johnston (Graph 4.2) considers the potential impact upon the shortfall of reducing length of stay in TA to a maximum of 9 months, with shortfalls of accommodation still evident in the west of the county. It is anticipated that this could be mitigated to an extent by flatshare. The RRTP states ‘In accordance with proposed legislative change, the Council will aim to achieve a position whereby all homeless households will spend a maximum time of 7 days in B&B’ at Section 4.3. While the Council aspires to this position as per proposed legislative change, it is unclear how this can be achieved in practice, particularly with the removal of capital costs from the RRTP. The Council would welcome further discussion with the

			Scottish Government as to how this can be achieved.
Settled / Supported Accommodation	Provides good context on current position with detailed analysis of pressures and demand. Links RRTP well with other housing strategies including LHS, SHIP. Demonstrates consideration and proposes measures to maximise access to all tenures, including PRS.	More information about work with the HSCP to take forward HF	Further information added in respect of Housing First at Section 3.5.
Partnership	There is good emphasis on partnership working throughout the RRTP.	N/A	N/A
Cost Analysis	<p>To enable cost analysis will require further breakdown of costs for implementing RR and current costs of homelessness and temporary accommodation.</p> <p>The plan includes areas that would not be funded through Ending Homelessness Together Fund, e.g. capital costs. With regards the prison project – isn't this being funded through the East Hub?</p> <p>Welfare reform mitigation – is this not currently being funded by ELC?</p> <p>Care experienced young people – isn't this included in the application in to Life Changes trust?</p> <p>Starter Packs – is this cost not already being met through the churches themselves?</p>	<p>Would benefit from including current cost of homelessness and temporary accommodation as well as further breaking down projected costs for implementing RR.</p> <p>Plan includes areas that SG will not fund through the EHT – i.e. no capital costs</p>	<p>Capital costs have been removed from the RRTP and corresponding sections of the document have been revised accordingly i.e. The East Lothian Position - text revised; Chapter 5 - text revised; Table 6.1 - figures revised (please note that actions have also been ranked in order of priority as per discussion with Marion Gibbs 20 May 2019) and Appendix One: Action Plan – actions and figures revised.</p> <p>A breakdown of costs for implementing the RRTP is provided at Table 6.1 and this is also reflected in the Action Plan (Appendix One). Current costs of temporary accommodation are set out in Appendix Three.</p>

	Would be interested in seeing the reasoning for the costing of HF at £4,000 per tenancy – how does this compare with the modelling around the Pathfinder project at £7.5k.?		Areas that are considered inappropriate for funding have been removed from the draft RRTP i.e. capital costs ¹ .
Equality Impact Assessment	Comprehensive Equality Impact Assessment	N/A	N/A

¹ Re the prison project, it is still to be determined whether this will be funded through the East Hub; funding request for Welfare Reform mitigation has been removed; The application to the Life Changes Trust for a pilot re care experienced young people was successful for a three year period. Additional funding requested via the RRTP is for a further two year period to enable the project to become self-financing and financially sustainable in the longer term. Costs for starter packs are not being met in full; the costing of HF tenancies has been increased to £7.5k per tenancy and an additional request has been submitted for a Prevention Officer to enable capacity in the Team to develop and support new ways of working re people experiencing domestic violence, young people and people leaving prison.

Appendix 2: Options Appraisal: Intentionality Provisions

	Option A - Remove the intentionality test for all applicants	Option B - Apply the intentionality test in specific circumstances, with discretion	Option C - Continue to operate as per existing policy and apply the intentionality test to all applicants
Accommodation requirements	There is currently a lack of suitable accommodation to meet both temporary and permanent housing needs. Removal of the test for all applicants will result in additional pressure on the housing system, leading to increasingly lengthy waiting times.	There is currently a lack of suitable accommodation to meet both temporary and permanent housing needs. Removal of the test for all applicants will result in some additional pressure on the housing system, leading to increasingly lengthy waiting times.	No change
Choice	<p>This would in theory offer choice to more people experiencing homelessness, remove unnecessary barriers to finding permanent accommodation and ensure that homelessness services can be delivered at the point of need. There is an increased chance of receiving assistance with intensive support for housing.</p> <p>In practice however, with limited resources across the county and a shortage of affordable housing, additional demand is likely to result in increased waiting lists for housing and related services and in some respects provide a further barrier to both homeless people and local communities generally re accessing permanent housing.</p>	<p>This would in theory offer choice to an increased proportion of people experiencing homelessness, remove unnecessary barriers to finding permanent accommodation for some people and ensure that homelessness services can be delivered at the point of need to some people. There is an increased chance of receiving assistance with intensive support for housing.</p> <p>In practice however, with limited resources across the county and a shortage of affordable housing, additional demand is likely to result in increased waiting lists for housing and related services and in some respects provide a</p>	No change

	It is likely that increasing numbers of people would potentially bypass the housing allocation route (by making a homeless application) to obtain access to housing quickly.	<p>further barrier to both homeless people and local communities generally re accessing permanent housing. This is also likely to result in challenge in relation to who the intentionality test applies to.</p> <p>It is likely that increasing numbers of people would potentially bypass the housing allocation route (by making a homeless application) to obtain access to housing quickly.</p>	
Citizenship	There is the potential that some individuals might no longer see the need to take personal responsibility to retain their accommodation i.e. not paying rent and a lack of consequences for people experiencing homelessness failing to accept their responsibilities.	There is the potential that some individuals might no longer see the need to take personal responsibility to retain their accommodation i.e. not paying rent and the policy response would be inconsistent.	No change.
Equalities	Being labelled as 'intentionally homeless' can be considered unfair and stigmatising and not reflective of the true picture of individuals' circumstances. Removal of the duty would benefit vulnerable people in particular so that they can get the help and support they need, in theory. However in practice, with limited resources and a shortage of affordable housing, it is likely that removal of the test would result in longer waiting times for everyone. This would have a negative impact upon others in housing need and local communities generally.	<p>Being labelled as 'intentionally homeless' can be considered unfair and stigmatising and not reflective of the true picture of individuals' circumstances. Removal of the duty in favour of discretion would benefit vulnerable people in particular so that they can get the help and support they need.</p> <p>However alongside more flexibility in decision making, there is potential for a lack of consistency of approach, both at local authority level and between local</p>	No change. The policy could be considered stigmatising and unfair, although it is likely the latter will depend to an extent on the approach taken by neighbouring authorities. It is likely that most local authorities within the highly pressured South East Scotland housing market will continue to apply the

		<p>authorities. This is likely to leave the Council open to challenge in respect of how discretion is applied and lead to issues around discrimination, equalities and human rights.</p>	<p>test to everyone, which would provide an equitable and consistent approach across South East Scotland.</p> <p>Current provisions already provide for flexibility in terms of decision-making i.e. personal circumstances of individuals being taken into account, under the Children’s Act or in cases of domestic abuse</p>
<p>Homeless presentations</p>	<p>This is likely to increase the level of homeless presentations, particularly from households who seek to deliberately manipulate the system.</p> <p>Should neighbouring authorities choose an alternative option to removal of the test, this is likely to result in further increases in presentations, particularly when combined with forthcoming changes to local connection. An inconsistent approach is a likely scenario, with applicants potentially approaching multiple local authorities in the hope of getting a more favourable decision from one of them.</p>	<p>This is likely to increase the level of homeless presentations for those client groups for whom the test no longer applies.</p> <p>Where discretion is applied, neighbouring authorities are likely to choose different ways of implementing the test, which is likely to result in further increases in presentations, particularly when combined with forthcoming changes to local connection. An inconsistent approach is a likely scenario, with applicants potentially approaching multiple local authorities in the hope of</p>	<p>This is likely to maintain existing presentations at current levels, having no impact.</p>

		getting a more favourable decision from one of them.	
Homeless assessments / acceptances	This is likely to increase the level of homeless assessments resulting in acceptance of duty to accommodate. In 2017/18, 80 households were assessed as intentionally homeless households, reducing to 55 in 2018/19. Even at the lower end, this will put additional pressure on an already stretched housing system. Should neighbouring authorities choose an alternative option to removal of the test, this is likely to result in further increases in presentations, particularly when combined with forthcoming changes to local connection.	This is likely to increase the level of homeless assessments resulting in acceptance of duty to accommodate.	This is likely to maintain existing assessments and corresponding acceptance of duty to accommodate at current levels, having no impact.
Legislation	Additional demand from acceptance of additional homeless households is considered high risk in relation to potential breaches of the Unsuitable Accommodation Order. This currently poses a challenge in terms of avoiding breaches on a weekly basis. Should the Order be extended to all homeless households in accordance with the recent Scottish Government consultation, breaches of the Order on a weekly basis is likely, with additional demand from a duty to accommodate intentionally homeless households creating more pressure.	Additional demand from acceptance of some additional homeless households is considered high risk in relation to potential breaches of the Unsuitable Accommodation Order. This currently poses a challenge in terms of avoiding breaches on a weekly basis. Should the Order be extended to all homeless households in accordance with the recent Scottish Government consultation, breaches of the Order on a weekly basis is likely, with additional demand from a duty to accommodate some intentionally homeless households creating more pressure.	No change

<p>Rapid Rehousing agenda</p>	<p>A draft East Lothian RRTP 2019/20 to 2023/24 was prepared and submitted to the Scottish Government for assessment and evaluation, setting out a plan to achieve rapid rehousing in East Lothian by 2024. The first iteration of the RRTP set out a bid for £7.221m. Following the announcement that capital costs required to be removed and other identified costs streamlined where possible, a second iteration of the RRTP set out a bid for £2.141m. The Scottish Government allocation for year one (of a three year allocation as opposed to five years) is £160k, making delivery of the Plan likely to be unachievable by 2024.</p> <p>Removal of the intentionality test is high risk in relation to the ability of the Council to achieve rapid rehousing, particularly within the context of limited resources. The East Lothian RRTP requires time to embed before any changes are introduced. Until the RRTP is fully resourced and implemented, this option cannot be considered.</p>	<p>A draft East Lothian RRTP 2019/20 to 2023/24 was prepared and submitted to the Scottish Government for assessment and evaluation, setting out a plan to achieve rapid rehousing in East Lothian by 2024. The first iteration of the RRTP set out a bid for £7.221m. Following the announcement that capital costs required to be removed and other identified costs streamlined where possible, a second iteration of the RRTP set out a bid for £2.141m. The Scottish Government allocation for year one (of a three year allocation as opposed to five years) is £160k, making delivery of the Plan likely to be unachievable by 2024.</p> <p>Removal of the intentionality test for some groups is high risk in relation to the ability of the Council to achieve rapid rehousing, particularly within the context of limited resources. The East Lothian RRTP requires time to embed before any changes are introduced. Until the RRTP is fully resourced and implemented, this option cannot be considered.</p> <p>Rapid rehousing is underpinned by the concept of 'Housing First', which acknowledges that not everyone is able to</p>	<p>Rapid rehousing will be challenging in itself to achieve, however this option would provide some scope to potentially be able to meet some desired outcomes re rapid rehousing.</p>
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		sustain a tenancy and some vulnerable groups will require support. This option will discriminate between vulnerable groups and leave the Council open to challenge.	
Resources	<p>The Council and external providers will require additional funding / resources to provide the required services. Additional demand will increase spend in particular on B&B and temporary accommodation.</p> <p>On a positive note, carrying out fewer investigations would be likely to mean staff resources focussed on homelessness assessments could be redirected towards rehousing outcomes.</p> <p>A significant increase in arrears is likely.</p>	<p>The Council and external providers will require some additional funding / resources to provide the required services. Additional demand will increase spend in particular on B&B and temporary accommodation.</p> <p>Discretion re investigations would be likely to be more resource intensive in terms of uncertainty and a lack of clarity around decision making.</p> <p>A significant increase in arrears is likely.</p>	The Council and external providers will require no additional funding / resources to provide the required services.
Rough sleeping	In theory a key advantage would be a reduction in rough sleeping, however in practice, small numbers of homeless people sleep rough in East Lothian at circa 20 per annum and there is no correlation between rough sleeping and intentionality.	In theory a key advantage would be a small reduction in rough sleeping, however in practice, few homeless people sleep rough in East Lothian at circa 20 per annum and there is no correlation between rough sleeping and intentionality.	No change.