

**NORTH SOMERSET COUNCIL  
DECISION**



**DECISION OF: COUNCILLOR AP REES, EXECUTIVE MEMBER FOR  
PLANNING, HIGHWAYS, ECONOMIC DEVELOPMENT AND HOUSING  
WITH ADVICE FROM: SHEILA SMITH, DIRECTOR  
DIRECTORATE: PEOPLE AND COMMUNITIES**

**DECISION NO: P & C 35**

**SUBJECT:** Variation of the contract dated 6 February 2006 for the transfer of the council's housing stock to provide revised arrangements for the provision of temporary accommodation for homeless people.

**KEY DECISION: YES**

**BACKGROUND:** The Council and Alliance Homes (now named NSAH (Alliance Homes) Limited) entered into a contract dated 6 February 2006 for the large scale voluntary transfer of the Council's housing stock (the Contract).

The Contract included temporary accommodation arrangements for homeless people and those in housing need.

The Contract provides that temporary accommodation is to be made available by Alliance Homes for the housing of "Applicants" and "Homeless Nominees" (as defined in the terms of the Contract). Temporary accommodation comprises general needs accommodation, special needs accommodation, accommodation located in 3 specified buildings (which the Contract refers to as 'Hostels') and such other additional or substituted units of accommodation which the council and Alliance Homes may from time to time agree.

The Contract provides that the number of temporary accommodation units may be amended by agreement between the parties.

Alliance Homes approached the Council and requested that they be allowed to provide 20 units of temporary accommodation spread across North Somerset in place of the 19 units of temporary accommodation (and 1 office) provided in one of the designated (hostel) buildings (Masefield House). This is because Masefield House offered no flexibility on the type and location of temporary accommodation and was expensive for occupiers due to the costs of running the building. Dispersing the 20 dwellings of temporary accommodation across the district provides flexibility over the location and type of temporary accommodation provided by Alliance Homes and provides temporary accommodation that is more affordable for the occupiers. Subject to this decision Alliance Homes has confirmed to the council that it will undertake an option appraisal for Masefield House which could include potential redevelopment or a change of use and may include temporary short term uses.

Further work has been undertaken and 20 units of accommodation, dispersed across the district, of a variety of sizes, types and locations have been provided by Alliance Homes as Temporary Accommodation substitutes for Masefield House.

It is proposed that two of the 20 units will continue to be furnished and that Alliance Homes will use reasonable endeavours to provide additional furnished units, as required by the council. In addition, it is proposed that two of the 2 bedrooomed units will be adapted to a standard agreed between the council and Alliance Homes so that they are accessible to wheelchair users within timescales to be agreed with the council.

In addition it is proposed that the Contract wording relating to substitutions is revised; to enable any of the temporary accommodation units, including the remaining 'Hostels' to be substituted with other units of accommodation in future by agreement between the parties (avoiding the need for any further Deeds of Variation for this purpose) and also to provide more flexibility and make the arrangements for making substitutions clearer. It is also proposed to revise the Contract wording to make the arrangements for reviewing the number of temporary accommodation units clearer.

In order to formalise the substitution of 20 units of Temporary Accommodation spread across North Somerset in place of the 19 units of Temporary Accommodation (and 1 office) provided in Masefield House and make the other necessary changes as set out above, the Council and Alliance Homes will need to enter into a Deed of Variation to amend the Contract to reflect the revised arrangements.

**DECISION:** To authorise officers to enter into a Deed of Variation to the Contract to: facilitate the substitution of 20 units of temporary accommodation across North Somerset in place of the temporary accommodation provided at Masefield House; revise the arrangements for the substitution of units of temporary accommodation and clarify the arrangements for reviewing the number of units of temporary accommodation, as set out in the report.

#### **REASONS**

To provide flexibility over the location and type of the temporary accommodation and provide more affordable temporary accommodation.

#### **OPTIONS CONSIDERED**

Not agreeing to the substitution – temporary accommodation would continue to be provided at Masefield House and the improved flexibility and reduced costs to the occupiers could not be achieved.

#### **FINANCIAL IMPLICATIONS**

No specific implications. The provision of temporary accommodation by Alliance Homes is a cost effective way to provide such housing and reduces the need to use more expensive Emergency Accommodation

#### **LEGAL POWERS AND IMPLICATIONS**

The Housing Acts and Homelessness Act 2002 places legal duties on the council to provide temporary accommodation for homeless people in a variety of circumstances.

The Contract includes obligations relating to the provision of temporary accommodation for homeless people and those in housing need. The proposed Deed of Variation will vary the terms of the Contract in respect of the provision of temporary accommodation.

**CONSULTATION**

Consultation has taken place with Alliance Homes and with the council's legal service.

**RISK MANAGEMENT**

There is a risk that the adaptation of 2 units of temporary accommodation for wheelchair users cannot be undertaken within a reasonable period – this is considered low risk in the light of the turnover of properties.

**EQUALITY IMPLICATIONS**

There will be a medium positive impact on homeless people with a range of protected characteristics

**CORPORATE IMPLICATIONS** No specific implications

**BACKGROUND PAPERS**

Report to Council – 17/01/06 Housing Transfer

**SIGNATORIES:**

**DECISION MAKER(S):**

Signed: ..... 

Title: Executive Member for Strategic Planning, Highways, Economic Development and Housing

Date: 29/3/18 .....

**WITH ADVICE FROM:**

Signed: ..... 

Title: Director, People and Communities

Date: 29/3/18 .....

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**

There have been amendments to the decision as set out below:

**Original Text (paragraph 8, first sentence ) :** *'It is proposed that two of the 20 units will continue to be furnished and that Alliance Homes will use their best endeavours to provide additional furnished units, as agreed with the council'*

**Replaced with :** *'It is proposed that two of the 20 units will continue to be furnished and that Alliance Homes will use reasonable endeavours to provide additional furnished units, as required by the council.'*

**Original Text (paragraph 9, first sentence):** *'In addition it is proposed that the Contract wording is revised to enable any of the temporary accommodation units, including the remaining 'Hostels' to be substituted with other units of accommodation in future by agreement between the parties, avoiding the need for any further Deeds of Variation for this purpose.'*

**Replaced with :** *'In addition it is proposed that the Contract wording relating to substitutions is revised; to enable any of the temporary accommodation units, including the remaining 'Hostels' to be substituted with other units of accommodation in future by agreement between the parties, (avoiding the need for any further Deeds of Variation for this purpose) and also to provide more flexibility and make the arrangements for making substitutions clearer'.*