

Response ID ANON-7DXH-SCRU-R

Submitted to Housing (Scotland) Bill Call for Views
Submitted on 2024-05-17 14:39:36

About you

Please read the privacy notice below and tick the box below to show that you understand how the data you provide will be used as set out in the policy.

I have read and understood how the personal data I provide will be used.

How your response will be published

I would like my response to be published in its entirety

What is your name?

Name:
June Deans

What is your email address?

Email:
june.deans@glasgow.gov.uk

Are you responding as an individual or on behalf of an organisation?

Organisation

Organisation details

Name of organisation

Name of organisation:
Glasgow City Council

Information about your organisation

Please add information about your organisation in the box below:

Glasgow is Scotland's largest city and at the centre of our nation's economy and culture.

The Glasgow City Council strategic plan outlines missions that cover ambitious aims including ending child poverty, improving the health and wellbeing of local communities, supporting residents into sustainable and fair work, delivering sustainable transport, becoming a net zero carbon city by 2030, creating safe, clean, and thriving neighbourhoods, raising attainment amongst children and young people, and running an open, well governed council in partnership with all our communities..

Our vision for housing is:

'We have more affordable, accessible, safe and sustainable homes, which support good health in thriving neighbourhoods across the city, are well-connected to jobs, education, services and opportunities, and contribute to Glasgow being an attractive place for people to live, learn, work and invest.'

General

Q1. To what extent do you agree that the measures in the Bill meet the Scottish Government's stated policy objectives?

Neither agree or disagree

Q2. What are your main reasons for your views on Q1? (please note we have asked more detailed questions on the Bill later in this survey)

Please use this textbox to provide your answer:

While we would agree with the stated policy objectives and acknowledge the intention in the Bill to address these policy objectives, it is unclear whether the measures as proposed will have the intended outcome.

On 30th November 2023, a report to Glasgow's City Administration Committee outlined the severe housing and homelessness pressures that Glasgow City Council and Glasgow City Health and Social Care Partnership (GCHSCP) are facing. As a result, Glasgow City Council's City Administration Committee

formally declared a 'housing emergency' in the city.

The decision to declare a Housing and Homelessness Emergency was not taken lightly. However, the declaration seeks to recognise and reflect the scale of the challenges facing the city in relation to the accessibility of both temporary and settled accommodation for homeless households, in the context of our city's increasing need and demand for affordable housing options.

These challenges have been compounded by the Home Office's decision, in July 2023, to introduce an accelerated asylum decision making process. As the UK's largest dispersal area for asylum seekers outside of London, this acceleration has substantially increased the demand on Glasgow's Homelessness Service from both those who are granted leave to remain in Glasgow, and those who are granted refugee status elsewhere in the UK but who are choosing to travel to Glasgow and accessing homelessness services.

In relation to those granted leave to remain in Glasgow, the number of referrals received by the Asylum and Refugee Support Team from Mears in the calendar year of 2023 was 1,232 compared with 2022 where 669 referrals were received. This represents an 84% increase in the number of households being granted leave to remain in Glasgow with the majority of these referrals being made from July 2023 onwards. In addition to this, Glasgow continues to see increased demand from households who have been granted leave to remain out with the city, with specific pressures from households travelling from England and Northern Ireland. It is believed that the progressive homelessness legislation in Scotland (specifically the abolition of priority need) is a key driver of this demand.

Our data indicate that around 125 households, per month, are receiving a positive asylum decision out with the Glasgow area but are choosing to come to Glasgow, as is their right, to request homelessness assistance.

Glasgow City Council shares the ambitions and intentions set out in Scotland's long-term housing strategy, Housing to 2040, which have informed and shaped Glasgow's Local Housing Strategy 2023 to 2028. We recognise the intentions of the proposed Bill and support the policy objectives:

- To improve the housing outcomes in Scotland for people who live mainly in rented accommodation or face homelessness. And at the same time;
- To continue to safeguard the proportionate use of a landlord's property for rental purposes, seeking to deliver a fair balance between protection for tenants and the rights of landlords

However, there are significant challenges which have and will continue to have a substantial impact on the ability of Glasgow City Council to deliver on these shared ambitions and objectives. The Budget decision to reduce the Affordable Housing Supply Programme will have a detrimental impact on increasing supply of and access to affordable housing options that can meet identified housing and homelessness needs and demand, putting further pressure on the existing rental sector.

Glasgow City Council is the strategic housing and planning authority. We have extensive partnership and stakeholder engagement, including close working with the largest cohort of community based and controlled housing associations in Scotland. Through these embedded networks, the local authority is uniquely placed both to understand and assess local housing systems and pressures within and across our communities, as well as coordinate and deliver a major programme of housing led development and regeneration strategically targeted towards meeting the city's key priorities and outcomes.

Glasgow has an unparalleled track record for affordable housing investment, delivering on average around 1,000 additional affordable homes per year, since the Transfer Management of Development Funding (TMDF) arrangements were introduced in 2003. Glasgow is Scotland's most populous local authority and has the highest levels of need for additional affordable housing. As such, Glasgow constitutes a central pillar for delivering on national ambitions for increasing supply of affordable homes. However, there is clear evidence of greater need, and with appropriate resources and funding Glasgow can deliver in excess of this output.

To fulfil this core and unique role, Glasgow City Council requires long-term funding and resource commitments from Scottish Government, as well as continuation and extension of strong partnership working arrangements, such as Transforming Communities: Glasgow, which is central to delivering the city's vision for development, regeneration and renewal.

Glasgow's population is forecast to grow by 2.4% (15,255 people) between 2022 and 2032. However, the modelling does not take account of recent migration trends or changes in homelessness legislation (local connection). Glasgow's population demography is younger and more diverse than other local authorities. Since the mid-2000s, Glasgow's population has been growing. This is largely due to more people arriving or returning to settle in Glasgow. People come for study and for work and then are attracted to stay. Glasgow also has a proud tradition of supporting people seeking asylum and refuge from conflicts and danger overseas. Most commonly, people look for available housing options in the rented sectors. From the mid-2000's, the number of privately rented homes increased significantly to reach around 60,000. In recent years, this figure has remained relatively static, however the demand for rented homes has continued to increase. Available data shows that that average listed rents of private rented properties in Glasgow increased by 92% from 2011 to 2023. The average number of listings decreased by 58% during this period. During 2023, the average rent in Glasgow was £1,142 per month, and there were 4,294 listings.

Glasgow is the location for five of the 19 higher education institutes across Scotland. Figures on student numbers published via the Higher Education Statistics Agency (HESA) indicate that across Glasgow's five higher education institutions, the number of enrolled students increased 41% from 2014/15 to 2021/22 (compared to 33% for Scotland). The increase in students correlates with a significant increase in demand for rental accommodation, as well as increased inward investment in the housing market, contributing to increasing rents and market sales values. This growth in demand impacts on the availability of housing for private rent, which is affordable for lower income households in housing need and therefore have less access to rented housing options. This can increase pressures and risks of homelessness arising from unsuitable and unsustainable accommodation.

It is estimated that there are around 5,000 asylum seekers living in Glasgow at present. Mears, who deliver the Asylum Accommodation and Support Services Contract on behalf of the Home Office, manage around 2,200 properties in Glasgow. In the second half of 2023, the Home Office (UK Government) introduced a new process to streamline asylum claims to address the significant backlog of outstanding decisions and reduce the number of applicants living in contingency and dispersed accommodation. Long-term data trends indicate around 77% of households who receive a positive

decision in Glasgow go on to make a homelessness application. Analysis undertaken to model the impact of the batch processing indicated over 1,100 additional homeless household could be made, placing acute pressure on existing temporary accommodation and permanent settled housing options.

Post-2020, reported data indicate that the total number of lets for Registered Social Landlords operating in Glasgow have reduced. Factors influencing this trend include pressures associated with the cost-of-living and households being reluctant to move alongside improvements in the way RSL/Homelessness Services deliver tenancy sustainment measures.

Glasgow incorporates a complex array of dynamic local housing systems and markets which function to meet the wide range of housing needs and demands of a metropolitan city region with global reach. Affordable housing supply is central to a well-functioning, balanced housing system. Across the wider rental sector, there is a core requirement for flexibility and adaptability to expand and adjust to contemporary needs and demand. It is unclear whether in its current iteration the proposal Bill achieves the necessary balance for introducing appropriate protections for tenants that need them whilst enabling proportionate scope for the rental sector to continue to adapt to meet the full range of housing needs and demand.

In addition, proposals within the bill if enacted are likely to place additional resource and financial burdens on GCHSCP and Glasgow City Council. The costs set out in the financial memorandum accompanying the proposed Bill are considered to be an underestimate of the likely one-off and continuing costs for local authorities. Therefore, further consideration is needed of the costs for meeting the policy objectives set out in the proposed Bill and these will be required to be reflected in future funding allocations.

Rent

Q3. Do you support the proposals in Part 1 of the Bill allowing rent control areas to be designated?

Don't know

Q4. Do you have any further comments to make on Part 1 of the Bill dealing with rent for private tenants?

Please use this textbox to provide your answer:

We note the broad parameters and local authority obligation in carrying out a periodic assessment of rent conditions and making a recommendation to designate all or any part of the area of the local authority as a rent control area. We welcome the key role of Scottish Ministers in making a formal determination of a rent control area.

However, key detail is lacking regarding identifying potential area boundaries and scale. There is an underestimation of the likely need for continuous monitoring due to the nature and functions of Private Rented Sector within dynamic and complex urban housing systems. The conditions under which the Scottish Ministers may direct the local authority to carry out an interim assessment are also unclear.

We would consider the proposed date for the first report by each local authority to be submitted by no later than 30 November 2026 to be extremely challenging, given that guidance is still to be designed. This work will not be possible within existing resources, and while the supporting financial memorandum outlines potential funding for local authorities, this requires to be tested. Consequently, we would welcome further engagement, including involvement in a pathfinder to establish realistic and costed processes.

Ministerial guidance on assessments of rent conditions is key to consistency on a national basis. We support further local government involvement in the development of guidance around rent control measures, particularly the local authority role in mandatory assessment of rent control areas, including the power to seek information from landlords and tenants. It is a concern that there is no comprehensive national or local collection of private rented sector rental levels. Inconsistency in available data around factors such as property size, type, density or condition may result in ill-defined rent control areas. Similarly, there is little systematic collection of data regarding private rented sector tenants and incomes at local authority and sub-local authority levels, which limits capacity to analyse and consider issues of rental affordability and where targeted interventions may be required.

Poorly conceived rent controls areas may have unintended consequences in areas neighbouring a rent control area, including across local authority boundaries. We would also recognise the potential interaction with the policy planning framework, for example in respect of developer contributions. There is a general risk that interventions may contribute to a reduction in supply of private rented accommodation options as landlords choose to withdraw from the sector.

The design and nature of consultation processes, for example, those to be followed prior to laying of regulations designating an area as a rent control area, or varying rent controls in an existing rent control area, are essential in achieving consistency.

There is a need to consider the issue of 'intermediate' housing options, specifically mid-market rented (MMR) homes that have been supported with public grant via the Affordable Housing Supply Programme. These MMR homes are let as private residential tenancies however they are provided by registered charities and social enterprises using different investment terms. As a condition of grant, rent levels for MMR homes are required to be indexed to local housing allowance rates. The capital investment business plans for MMR developments set out prudential borrowing arrangements with scheduled increases that are indexed to inflation (CPI). If MMR are subject to potential rent controls, uncertainty over future caps could impact on viability assessments and act as a constraint on new developments.

Evictions

Q5. What are your views on Part 2 of the Bill that deals with evictions?

Please use this textbox to provide your answer:

We are broadly supportive of the provisions in Part 2 applying across tenancy types, though note that these offer what could be considered to be lesser protections than provisions in the Cost of Living (Tenant Protection) (Scotland) Act 2022 that ended on 31 March 2024

Keeping pets and making changes to let property

Q6. Do you support the proposals in Part 3 of the Bill to strengthen the rights of tenants to keep pets and make changes to let property?"

Yes

Q7. Do you have any further comments to make on Part 3 of the Bill dealing with keeping pets and making changes to let property?

Please use this textbox to provide your answer:

No further comment

Joint tenancies

Q8. What are your views on Part 4 of the Bill that deals with how joint private residential tenancies can be ended?

Please use this textbox to provide your answer:

The 'Private residential tenancies: ending a joint tenancy' amendment to Section 48 of the 2016 Act, new section (3A) applies only where the landlord agrees to the request. To counter the risk that the landlord may refuse the request and force a new contract, we would suggest this be subject to a condition where agreement is not unreasonably withheld.

The interaction of these proposals with rent control may benefit from further exploration.

Clarity in the status of joint tenancies is essential where tenants are seeking housing support, for example in Universal Credit. Scottish Government should consider additional advice and guidance to support those tenants with housing support.

Homelessness prevention

Q9. Overall, do you support the Bill's proposals in Part 5 of the Bill that deal with homelessness prevention?

Yes

Q10. What are your views on the 'ask and act duty' for relevant bodies in relation to preventing homelessness in Part 5 of the Bill?

Please use this textbox to provide your answer:

In recent years GCHSCP and Glasgow City Council have developed an approach to homelessness prevention based on providing access to a range of advice and support to help sustain people in their accommodation. These services including funding for:

- Money & Debt Advice Services
- Flexible Housing Support
- Private Rented Sector Housing and Welfare Hub

GCHSCP have invested significant additional resources in homelessness prevention through the development of Health and Social Care Connect (HSCC) which commenced operation in November 2022. This has involved continuing to provide additional funding for money advice and debt management services which have been instrumental in preventing homelessness from occurring and ensuring that, where possible, households are supported to remain within their own tenancies. During 2023/24, Glasgow City Council's Private Rented Sector Housing and Welfare Hub, which work with vulnerable households in the private rented sector at risk of homelessness, experienced a considerable increase in the number of families referred for support.

GCHSCP also have in place referral routes and joint working arrangements with housing associations in order that the partnership can intervene to offer advice and support to assist the household to sustain a tenancy. The approach is underpinned by the Section 11 notification process (section 11 of the Housing (Scotland Act) 2001 requires a landlord or mortgage lender to notify the Council when it intends to take proceedings to recover a property).

We broadly welcome the prevention proposals set out within the proposed bill and the potential for the proposed new prevention duties to improve outcomes for people at risk of homelessness, reduce demand for temporary accommodation and address the wider housing crisis. We see the opportunity to enhance joint working arrangements across the public, private and third sector to improve prevention pathways. However, there is a risk that the proposed revised duties serve to draw additional households into the statutory homelessness system who would otherwise have been able to resolve their housing situation without any input from the local authority.

The expansion of prevention duties coupled with homelessness rights and entitlement to temporary accommodation support, in the context of increasing demand pressures for rental accommodation, may have the unintended consequence of increasing statutory homelessness and use of temporary accommodation as additional households are drawn into the system.

It is critical that the revised prevention duties are fully costed and funded by the Scottish Government. Any funding and implementation timescales need to be viewed in light of the unprecedented challenges facing local government and housing systems. Without a multi-year funding commitment which truly reflects the extent of the challenges, we will miss the opportunity of transforming how we deliver homelessness prevention services and how we

improve outcomes for people in housing need.

We note that there is a view that investment in prevention activity will generate long-term savings in public expenditure. Whilst this policy goal is welcome, it is difficult to point to any sustained evidence of direct cash savings to Councils through prevention activity. We therefore suggest that any new funding available to Councils, beyond reflecting the actual cost of the new duties, needs to be a long-term commitment on the part of the Scottish Government.

The Scottish Government Rapid Rehousing Transition Fund commitment is up until 2025/26. Given that most Councils are struggling to progress their Rapid Rehousing Transition Plans it cannot be the case that RRTP funding is rebadged and redirected to the implementation of the Prevention Duties Act. Glasgow City Council remains committed to delivering an approach to homelessness services predicated on Rapid Rehousing for households where we are unable to prevent from becoming homeless, we have developed a Temporary Accommodation Strategy that reflects these goals. However, we require the continued commitment from the Scottish Government to enable us to implement the objectives of the strategy.

Across Glasgow, alongside public services there are 59 Registered Social Landlord (RSL) providers. Further consideration is required of how proportionate homelessness prevention and housing support services would apply. Scottish Government could consider a universal or centralised advice service, or shared materials, across local authorities as a model that could provide access via referral to appropriate supports at a point of identified need whilst avoiding potential duplication and inefficiencies.

Evidence from studies into the impact of the Homelessness Reduction Act 2017 which was implemented in England and Wales, indicate that 'ask and act' will place an additional burden on the specified public bodies. However, without specific details on the extent of the duty to ask and act, it is not clear at this time what additional resources will be required. There is a risk that without clearly defined roles for statutory bodies alongside adequate funding, 'ask and act' will become 'ask and refer' therefore increasing the number of households seeking support from the local authority's Homelessness Service. Evidence from an evaluation of the HRA 2017, indicated that some local authorities referred to the 'duty to refer' under HRA as a 'duty to dump' with some authorities referring to the local authority and then withdrawing their services.

We agree with the belief that homelessness prevention is a shared public services responsibility, however homelessness and housing are complex issues with a great deal of knowledge required to provide advice and assistance to those experiencing housing crisis/homelessness. This is particularly relevant to a city such as Glasgow, which is a stock transfer authority, and has a substantial number of housing associations and private landlords operating in the city.

While new sections 36B and 36C define the relevant body "duty to act", we would like to see additional Scottish Government advice and potentially statutory guidance to address concerns over increased levels of referral to local authority homelessness services, and guidance to ensure consistent interpretation across local authorities and relevant bodies.

There is a risk that individuals may disproportionately contact or seek advice from local or more readily accessible relevant bodies. Guidance should clarify whether the duty extends to direct clients/customers or service users of the relevant body, members of the household of a client/customer or service user, or whether the duty applies to all individuals in all cases.

There is potential to expand the definition of "relevant body" to additional agencies. For example, it may be appropriate to include private sector landlords. This would be an equivalent to the duty on banks to notify on mortgage repossession.

Further, we would expect that agencies that have benefited from Scottish Government funding for housing development, for example charities offering homes at mid-market rent levels, would have a duty to act.

We would consider a standardised approach to reporting on homelessness prevention actions of relevant bodies to be useful to facilitate benchmarking, good practice and consistency – perhaps a role for the Scottish Housing Regulator or central monitoring system.

Q11. What are your views on the requirement on councils to act sooner to prevent homelessness by taking reasonable steps in Part 5 of the Bill?

Please use this textbox to provide your answer:

The expansion of the definition of 'threatened with homelessness' from 2 months to 6 months will likely see an increase in demand for homelessness assistance. This will increase the caseload of the local authority's service and will require an additional staffing resource (with a focus/specialism in homelessness prevention) in order to meet demand.

In relation to 'reasonable steps' to prevent homelessness, the introduction of an enhanced and clearly defined duty on local authorities to take such steps is a welcome measure to improve outcomes for homeless households. However, given the current housing market conditions (e.g., reduction in social housing turnover, increased private rented sector rents) coupled with a cost of living crisis, it is becoming more challenging for local authorities to prevent homelessness and the guidance must reflect this. We must also recognise that the extension is likely to place additional burdens on Local Authorities.

Domestic abuse

Q12. What are your views on the provisions in Part 5 of the Bill that relate to domestic abuse?

Please use this textbox to provide your answer:

We welcome this update in the definition of domestic abuse to include, for example, coercive control. It is not anticipated that this will have a significant impact on Homelessness Services given our current practice is to support all victims of abuse who require housing advice or homelessness assistance.

GCHSCP is currently implementing a revised Domestic Abuse Strategy. The Domestic Abuse Strategy is the first strategy for GCHSCP that focuses on improving our services for people who are or have been affected by domestic abuse, and on improving our response to people who cause harm through domestic abuse. Through the delivery of our strategy we are aiming to ensure people affected by domestic abuse receive the best possible care, and how we will continue to seek the involvement of people with lived experience of domestic abuse in the design and evaluation of domestic abuse services.

While recognising that many organisations have already implemented such a policy, we welcome the requirement for social landlords to have a policy on how they will support the victims of domestic abuse.

Mobile Homes

Q13. What are your views on the provisions in the Part 5 of the Bill relating to mobile homes pitch fees uprating?

Please use this textbox to provide your answer:

N/A

Fuel poverty

Q14. What are your views on the provisions in Part 6 of the Bill relating to fuel poverty?

Please use this textbox to provide your answer:

The Bill contains useful clarification to the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 in respect of reporting periods.

Other provisions in the bill and other comments

Q15. Do you have any additional comments on the other measures the Bill dealswith or any other general comments?

Please use this textbox to provide your answer:

No further comment

Availability

Would you be interested and available to give evidence to either the Local Government, Housing and Planning Committee or the Social Justice and Social Security Committee?

Please use this textbox to provide your answer:

Further discussion with Glasgow City Council elected members would be required prior to agreeing to give evidence.