

Cheltenham Borough Council
Cabinet Member Decision
22nd February 2019
UK Visas and Immigration Dispersal Scheme

Accountable member	Councillor Peter Jeffries, Cabinet Member – Housing
Accountable officer	Martin Stacy, Lead Commissioner – Housing Services
Ward(s) affected	Any
Key/Significant Decision	No
Executive summary	<p>UK Visas and Immigration (UKVI) is the Government Agency responsible for assessing claims from asylum seekers who wish to remain within the UK. They commission an accommodation provider to secure private rented accommodation so that Asylum Seekers can be housed appropriately while their claims for asylum are assessed.</p> <p>The government is keen for every local authority in the UK to be open to UKVI sourcing private rented accommodation in their area, in order to increase the supply of housing that can be made available for people claiming asylum. As such, UKVI have recently approached this council to seek confirmation that we would be willing to participate in their scheme. As part of this request, the council was advised that there are powers in the Immigration Act 1999 that can require a local authority to participate, and that if these powers were invoked, UKVI would not be able to guarantee the local authority any influence over the number of people that UKVI would seek to house in their area.</p> <p>This council is very much open to working with UKVI to assist them in their aims in widening their dispersal area. By working collaboratively with UKVI, the council will also have influence over the numbers of people to be housed, the size of families that will be housed, and the locations in which the accommodation is sourced. This influence will therefore help the council to manage any potential risks arising from participation in this scheme (as identified within Appendix 1 of this report).</p> <p>It is estimated that the number of homes that will be sourced by UKVI in the first 12 months across Cheltenham will be around 10 – or around 25 people. During this time we will review outcomes to ensure that any subsequent increase in provision is both appropriate and well managed.</p>
Recommendations	To agree to enter into a collaborative arrangement with UKVI in their sourcing of private rented accommodation for households seeking asylum and to authorise the Managing Director Place and Growth to

take such decisions and actions as are necessary to implement that arrangement

Financial implications	<p>None as a direct consequence of this report.</p> <p>Contact officer: Jon Whitlock, jon.whitlock@publicagroup.uk, 01242 264354</p>
Legal implications	<p>Section 95 of the Immigration and Asylum Act 1999 provides that the Secretary of State may provide, or arrange for the provision of, support for asylum seekers and their dependants. Section 100 of the Act goes on to say that if the Secretary of State asks a local authority to assist in exercising his power under Section 95, the person to whom the request is made must co-operate in giving the Secretary of State such assistance as is 'reasonable' in the circumstances.</p> <p>By Section 101 of the Act the Secretary of State may by order designate an area in England and Wales consisting of one or more local authorities as a 'Reception Zone'. If the Secretary of State considers that a local authority in this zone has suitable housing, they can direct the local authority to make available such of the accommodation as may be specified for a period so specified to them for the purpose of providing support under Section 95.</p> <p>In this case, the UKVI has requested that the council co-operates with it in housing asylum seekers, rather than making a specific request/direction under the Act. It is not anticipated that the council will be required to enter in to any form of contractual agreement with the UKVI nor is it intended that any data protected information will be shared as part of the co-operation arrangement.</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk</p>
HR implications (including learning and organisational development)	<p>None as a direct consequence of this report</p> <p>Contact officer: Carmel Togher, carmel.togher@publicagroup.uk 01242 264391</p>
Key risks	As set out in Appendix 1.
Corporate and community plan Implications	This initiative, along with the support and partnership/protocol arrangements that will be put in place, will ensure that we can support the authority's corporate outcome of creating thriving communities.
Environmental and climate change implications	None as a direct consequence of this report.
Property/Asset Implications	<p>None as a direct consequence of this report.</p> <p>Contact officer: Dominic Stead, Dominic.stead@cheltenham.gov.uk</p>

1. Background

- 1.1** UK Visas and Immigration (UKVI), is the Government Agency responsible for assessing claims from asylum seekers who wish to remain within the UK. They commission an accommodation provider to secure private rented accommodation so that Asylum Seekers can be housed appropriately while their claims for asylum are assessed.
- 1.2** The government is keen for every local authority in the UK to be open to UKVI sourcing private rented accommodation in their area, in order to increase the supply of housing that can be made available for people claiming asylum. As such, UKVI have recently approached this council to seek confirmation that we would be willing to participate in their scheme. As part of this request, the council was advised that there are powers in the Immigration Act 1999 that can require a local authority to participate, and that if these powers were invoked, UKVI would not be able to guarantee the local authority any influence over the number of people that UKVI would seek to house in their area.
- 1.3** This council is very much open to working with UKVI to assist them in their aims in widening their dispersal area. By working collaboratively with UKVI, the council will also have influence over the numbers of people to be housed, the size of families that will be housed, and the locations in which the accommodation is sourced. This influence will therefore help the council to manage any potential risks arising from participation in this scheme (as identified within Appendix 1 of this report).

2. Reasons for recommendations

- 2.1** This authority wants to play a part in providing a location, and a home, for people claiming asylum in the UK. We want to work with UKVI to ensure that their sourcing of accommodation in the Cheltenham borough is well managed and that any potential risks are mitigated.
- 2.2** It will be the responsibility of UKVI to source suitable accommodation and to ensure that the support, health and educational needs of the household are met appropriately, as detailed below:

- 2.2.1 Accommodation.** UKVI will monitor accommodation standards and will regularly inspect properties used to accommodate people seeking asylum. They have the power to invoke financial penalties on providers who source accommodation that fail to meet these standards. The council's Housing Enforcement team can also inspect these properties at any time, if they wish.
- 2.2.2 Support.** UKVI commission Migrant Help to resolve any issues around asylum support for dispersed asylum seekers. They can support local voluntary groups and community liaison. They will signpost people to relevant service providers and will provide advice on access to public services. They will also provide outreach support to those who need it. UKVI's dispersal arrangements are already in place in Gloucester, so there are established partnerships between representatives from UKVI, Gloucestershire County Council and Health, GARAS (Gloucestershire Action for Refugees and Asylum Seekers) as well as Gloucester City Council, thereby ensuring that the health and educational needs are accounted for. Cheltenham Borough Council will join this partnership. In addition, GARAS have confirmed they are available to provide any additional support, if needed.
- 2.3** By entering into a collaborative arrangement with UKVI, the council is likely to have greater influence over the number of households that will be accommodated in the area, along with the size of the households and the location of the properties. Protocol arrangements will be set up between UKVI, the council's Housing Strategy team, the Enforcement team, Solace/Police and Cheltenham Borough Homes, to ensure that informed decisions are taken on the suitability of particular locations for properties, having regard to the community cohesion of the area.
- 2.4** It is estimated that the number of homes that will be sourced by UKVI in the first 12 months across Cheltenham will be around 10 – or around 25 people. We will be looking at predominantly single people and smaller families (with a 2 bedroom need). Whilst households seeking asylum have no recourse to public funds (their needs are met in full via the Home Office) those whose claims for asylum are successful will be eligible for housing advice, etc., should this be needed. In 2017/18 29% of all asylum applications were successful. While some households who have been successful in their application for asylum may move to other parts of the UK, others may wish to

remain in Cheltenham, and may also seek advice and assistance for housing from the council. It is therefore important that we take steps to manage any potential increase in demand for social housing as a result of our decision to work collaboratively with UKVI. It is for this reason that we will indicate our preference for single applicants and smaller families, as the supply of smaller accommodation is more readily available than larger accommodation. In any event, households who do seek advice from Cheltenham Borough Homes' Housing Options Service will be offered a range of assistance, focusing first and foremost on preventing their homelessness, through the provision of alternative private rented accommodation, etc. For those whose homelessness cannot be prevented, then the usual steps to assess what duties are owed to households under the homelessness legislation will apply.

3. Alternative options considered

- 3.1** To not enter into a collaborative arrangement with UKVI. As detailed above, there are powers in the Immigration Act 1999 that can require a local authority to participate, and that if these powers are invoked, UKVI would not be able to guarantee that the local authority would have any influence over the number of people that UKVI would seek to house in the area.

4. Consultation and feedback

- 4.1** The council has consulted with Cheltenham Borough Homes' Housing Options Service, their Lettings and Housing Management teams, as well as GARAS (Gloucestershire Action for Refugees and Asylum Seekers). The Housing Options Service support the council's thinking over our preference for UKVI to accommodate single people and smaller-size families in our borough. Cheltenham Borough Homes are happy to work with the council and UKVI in helping to ensure that UKVI source suitable private rented accommodation in the area. GARAS welcomes the council's proposal to assist UKVI in the manner described.

5. Performance management –monitoring and review

- 5.1** An established partnership is already in place in Gloucestershire, as Gloucester City Council is a participant in this scheme. This partnership is made up of UKVI, Gloucestershire County Council,

Health, and Gloucester City Council. It is expected the Cheltenham Borough Council will join this partnership to ensure there is a smooth implementation within our Borough.

Report author	Contact officer: Martin Stacy, Lead Commissioner – Housing Services Email: martin.stacy@cheltenham.gov.uk, Tel: 01242 264171
Appendices	1. Risk Assessment
Background information	None

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the council decides not to enter into a collaborative arrangement with UKVI, then UKVI may seek to source accommodation in the area anyway, with the result that the council would be less likely to have influence in controlling the numbers of households that could be accommodated in the area.	Martin Stacy	31.1.19	3	3	9	Reduce	Cabinet Member – Housing agrees for the council to enter into collaborative arrangements with UKVI.	February 2019.	Martin Stacy	
	If accommodation is sourced without intelligence being shared from relevant services, then the community cohesion of the area may be adversely affected.	Martin Stacy	31.1.19	2	4	8	Reduce	Protocol arrangements will be established between the Police/Solace, Cheltenham Borough Homes' Housing Management team, and the council's Enforcement team so that any known issues/concerns about a particular area can be shared before the decision is taken by UKVI to source a property.	February 2019	Martin Stacy	
	If households seeking asylum are successful with their claim and wish to	Martin Stacy	31.1.19	2	6	12	Reduce	The council will work in collaboration with UKVI with a view ensuring that	Ongoing	Martin Stacy	

	remain in Cheltenham, but are unable to source their own accommodation, then the demand on the Housing Options Service may increase.							the number of people accommodated and the household make-up in the area remains manageable.			
	If households seeking asylum are successful with their claim, and are ultimately placed in social housing tenancies, this could result in resentment and retaliation from some individuals	Martin Stacy	31.1.19	3	3	9	Reduce	<p>The council will work in collaboration with UKVI with a view to ensuring that the number of people accommodated in the area remains manageable.</p> <p>The Housing Options team will seek to prevent homelessness wherever possible, by for instance, finding alternative accommodation in the private rented sector – this is an approach the Housing Options Service takes to all households presenting to them as homeless or threatened with homelessness.</p> <p>For those households who are housed in CBC accommodation, any threats will be dealt with robustly by CBH's Safer Estates Team and/or the Police. We will expect that similar measures</p>	Ongoing	Martin Stacy	

								will be taken by other Registered Providers.			
Explanatory notes Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) Control - Either: Reduce / Accept / Transfer to 3rd party / Close											