



TRAFFORD
COUNCIL

Trafford Council

Procurement of Temporary Accommodation Policy

Last updated: January 2025

1. Background

- 1.1 This Policy sets out how Trafford Council will meet its responsibilities to provide temporary accommodation to people who are homeless or threatened with homelessness.
- 1.2 This Policy will ensure that Trafford Council procures sufficient units of temporary accommodation to meet the anticipated demand annually.
- 1.3 This Policy has been produced having had regard to Trafford Council's Homelessness Strategy 2019-2024.
- 1.4 This Policy has been jointly developed with the following local authorities:
 - Bolton Metropolitan Borough Council
 - Bury Metropolitan Borough Council
 - Manchester City Council
 - Oldham Metropolitan Borough Council
 - Rochdale Metropolitan Borough Council
 - Salford City Council
 - Stockport Metropolitan Borough Council
 - Tameside Metropolitan Borough Council
 - Wigan Metropolitan Borough Council

2. Legislative Context

- 2.1 This policy has been drafted with due regard to the following legislation and statutory guidance:
 - Housing Act 1996, Part 7 (as amended)
 - Homelessness Reduction Act 2017 (as amended)
 - Localism Act 2011 (England) Order 2012
 - Domestic Abuse Act 2021
 - Homelessness (Suitability of Accommodation) (England) Order 2012
 - Homelessness (Suitability of Accommodation) (England) (Amendment) Order 2023
 - Homelessness Code of Guidance for Local Authorities
 - Supplementary Guidance on Changes in Localism Act 2011 and Homelessness (Suitability of Accommodation) (England) Order 2012 (2012)
 - Supplementary Guidance on Domestic Abuse and Homelessness (2014)
- 2.2 This Policy has been drafted with due consideration to the judgment handed down by the Supreme Court in the case of *Nzolamesso v Westminster City Council* April 2015.
- 2.3 This Policy has been drafted with due consideration to the advice published in 2013 by the Local Government Ombudsman contained within the report '*No Place Like Home: Council's use of unsuitable bed and breakfast accommodation for homeless families and young people*'.
- 2.4 This Policy covers the procurement of temporary accommodation by Trafford Council to perform duties under the Housing Act 1996, Part 7:
 - a) Section 188 – provision of interim accommodation provided to applicants where there is a reason to believe they are homeless, eligible and in priority need pending the conclusion of enquiries

- b) Section 190(2) – provision of accommodation provided for a reasonable period to applicants who are intentional homeless but in priority need to allow a reasonable period of time to identify alternative accommodation
 - c) Section 193 – provision of accommodation to applicants owed the relief duty or subsequent main housing duty and until this duty is brought to an end.
- 2.5 This Policy also extends to the procurement of temporary accommodation by Trafford Council to enact any temporary accommodation powers available to the local authority under Housing Act 1996, Part 7.
- 2.6 For the purpose of the Policy, the act of procuring temporary accommodation is defined as obtaining dwellings by way of purchase, and/or payment for use and/or lease for the purpose of fulfilling statutory accommodation duties and/or enacting discretionary powers towards homeless applicant households. This definition extends to the same acts undertaken by third parties, which may include other public bodies or private companies.

3. Provision of Temporary Accommodation

- 3.1 Trafford Council will procure temporary accommodation by establishing the following arrangements:
- 1. Deploying Trafford Council employees to procure temporary accommodation, and/or
 - 2. Appointing a private or external company/agency to as an agent to procure temporary accommodation, and/or
 - 3. A combination of the two above arrangements
- 3.2 Trafford Council will procure the provision of temporary accommodation in the following ways:
- 1. Social landlords will provide units of accommodation from their own stock, and/or
 - 2. Private landlords will provide units of accommodation from their own stock, and/or
 - 3. Trafford Council will provide units of accommodation from their own stock, and/or
 - 4. A combination of the above arrangements.
- 3.3 Trafford Council will manage the temporary accommodation by entering into the following arrangements:
- 1. Trafford Council itself will manage the temporary accommodation portfolio, and/or
 - 2. A social landlord will manage the temporary accommodation portfolio, and/or
 - 3. A private company will manage the temporary accommodation portfolio, and/or
 - 4. A combination of the above arrangements
- 3.4 Any two or more of the local authorities cited in section 1.4 of this Policy will reserve the right to jointly procure and manage temporary accommodation.

4. Location of Temporary Accommodation

- 4.1 The predominantly used temporary accommodation will be sited within the Trafford local authority district.
- 4.2 Temporary accommodation will be procured in the areas from which homelessness is known to occur most commonly. Trafford Council will use its P1E or other statutory homelessness data and other sources of intelligence to identify the wards from which homelessness occurs and will endeavour to ensure temporary accommodation is made available within these areas, or as nears as possible, wherever it is practicable to do so.

On occasions this may result in the nearest unit of temporary accommodation being obtained in a neighbouring local authority district.

- 4.3 Trafford Council will ensure that temporary accommodation provided is located so that the main services used by an applicant and their household can be reached by public transport. This includes doctors, dentists or other health providers, advice agencies (where applicable), and schools.
- 4.4 The suitability of Trafford Council's provision of temporary accommodation will be reviewed as part of future Homelessness Strategy adopted by the local authority, or when any new statute comes into force.

5. Bed and Breakfast / Hotel Accommodation

- 5.1 Bed & Breakfast (B&B) and hotel accommodation will, where possible, only be used as emergency accommodation. Trafford Council will ensure it has a list with details of suitable premises within the local authority area for which it will approve placement. These B&B's will be inspected by Trafford Council in a timely manner to ensure that they meet the minimum standards as set out within this policy.
- 5.2 Trafford Council will inform each B&B owner as to the minimum standards and to confirm whom they should contact if they have any queries or require support.
- 5.3 It is recognised that in certain circumstances Bed & Breakfast / hotel premises that are not on the approved premises list will have to be used. Where an applicant and their household remain within this accommodation for longer than two weeks Trafford Council will endeavour to inspect this premise providing that it does not place an undue strain on resources. However, where an applicant who is pregnant and/or dependent children reside, or the applicant is a child aged 16 or 17, the property will be inspected within a week.
- 5.4 Where the premise is situated within another local authority's boundary Trafford Council will liaise with the relevant local housing authority regarding an inspection.
- 5.5 If Trafford Council is under a duty to provide a 16 and/or 17-year-old with emergency accommodation, any accommodation provided must be suitable. The Secretary of State considers that bed and breakfast or shared accommodation is never suitable under any circumstances for this category of applicants as set out in the statutory guidance (*Prevention of homelessness and provision of accommodation for 16- and 17-year-old young people who may be homeless and/or require accommodation 2018*). As such, Trafford Council will avoid the need for any such placements.

6. Standards of Temporary Accommodation

6.1 Minimum Standards

- 6.1.1 Temporary accommodation provided by Trafford Council will: -
 - 1. Be, where possible, within Trafford local authority area; and
 - 2. Have adequate toilet and personal washing facilities; and

3. Have adequate bedrooms, cooking facilities and access to a living room where possible; and
4. Be useable by the applicant household 24 hours a day; and
5. Have accessible facilities and services for health and education in the locality, taking account of the distance of travel, access to public transport; and
6. Be suitable for occupation by an applicant who is pregnant and/or has dependent children, or the applicant is a child aged 16 or 17, whenever needed; and
7. Will satisfy any public sector equality duty owed under Equality Act 2010; and
8. Will satisfy any safeguarding or welfare duty owed under Children Act 2004.

No pets will be allowed, except assistance dogs for the disabled or other exceptional circumstances. Applicant households will be supported to re-home any pets prior to occupation of temporary accommodation.

6.2 Physical Standards

6.2.1 All temporary accommodation provided by Trafford will: -

1. Meet the physical or sensory disability requirements of all members of the household.
2. Comply with relevant housing quality standards including health and safety, hygiene, and fire legislation / regulations.
3. Provide units that are secure with individual locks.
4. The occupancy / tenancy agreement will include an agreed minimum amount of notice a landlord must give before accessing a person's property / unity and under what circumstances they would give such notice. This will usually be at least 24 hours unless access is required in an emergency or exceptional circumstances.
5. Have sufficient bedroom space to meet the needs of the household as far as possible.
6. Have adequate communal living space, which includes, for example, space for children to play or do homework.
7. Have, where possible, individual bathroom / toilet facilities for an applicant and their household. Where this is not possible, bathroom / toilet facilities will be shared by no more than two households.
8. Have access to laundry facilities on-site or within the vicinity wherever possible.
9. Have a suitable standard of furniture to meet the needs of the applicant and their household.
10. Have a minimum standard of cleanliness and decoration.
11. Have sufficient and affordable heating systems at an acceptable efficiency rating.
12. Be accessible 24 hours a day.

6.3 Shared Accommodation

6.3.1 Shared housing for 3 or more unrelated people will have a Housing in Multiple Occupation (HMO) license. This license will be displayed on the premises.

6.3.2 Trafford Council will satisfy themselves that any such accommodation meets these physical standards and, where possible, carry out inspections annually of all shared temporary accommodation.

6.4 Out of Area Placements

6.4.1 Trafford Council will endeavour to procure all temporary accommodation within the Trafford local authority area. However, where this is not possible due to a lack of appropriate accommodation, Trafford Council may need to procure accommodation outside of the Trafford local authority area. Where this happens, Trafford Council will ensure that any accommodation it procures is as close to the Trafford local authority area as possible.

7. Review of Policy

7.1 Trafford Council will review this policy on an annual basis, or when new legislation is enacted, to ensure that its provision of temporary accommodation continues to meet the current demand and anticipated demand.

END