

**Supplement 1** to the agenda**Health, Care and Wellbeing Scrutiny Committee**

Monday 17 February 2025, 2.00 pm

Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE

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**Agenda item no. 5 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	<b>Mr Smart, Hereford</b>	<p>Will the Council agree to audit all Housing Solutions cases in order to identify families who have spent more than 6 weeks in unlawful, unsuitable bed and breakfast temporary accommodation at the Bay Horse and/or other premises and offer them the necessary compensation as identified in the following LGSCO case where £13,580 in compensation was paid out by Herefordshire Council:</p> <p><a href="https://www.lgo.org.uk/decisions/housing/homelessness/23-014-021">https://www.lgo.org.uk/decisions/housing/homelessness/23-014-021</a></p>	<b>Cllr Gandy</b>

**Response:**

The Housing Solutions Team is very aware of the government guidance set out in the Homelessness Code of Guidance for Local Authorities with regard to the placing of families in B&B/hotel accommodation. The guidance states that B&B/hotel accommodation should only be used for the accommodating of families with dependent children as a last resort and where this is the case it should not carry on for more than 6 weeks.

Unfortunately we do have families that spend longer than 6 weeks in this form of accommodation, the current situation has arisen due to the very large number of applications we have been receiving from households who are homeless and seeking housing assistance from Herefordshire Council. All the self-contained units that the council has been able to procure for the use of households to whom it has an accommodation duty, under homelessness law, are in use and we continue to seek to secure additional units to meet the increasing demand.

In the meantime we have individualised plans in place to move households on from B&B/hotel accommodation into self-contained temporary accommodation. The Temporary Accommodation Officers work closely with the applicant and the applicant's Housing Solutions Officers to support the search for longer term settled accommodation to end homelessness as well as more suitable self-contained temporary accommodation.

The Ombudsman judgement that Mr Smart refers to is one where a large family had to be moved out of their temporary accommodation due to major repairs being required to their self-contained temporary accommodation. The Ombudsman recognises that the council repeatedly sought alternative suitable temporary accommodation for the household but due to their particular circumstances was unable to secure such accommodation and as a result had no other alternative but to place the family in B&B/hotel accommodation until alternative self-contained temporary accommodation could be secured.

The circumstances of the case were quite unique and do not align with the current families we are accommodating in B&B/hotel accommodation until we can secure alternative suitable accommodation. Where a household is owed a duty under S193 of the Housing Act 1996 (Part VII) the applicant

can challenge the suitability of the temporary accommodation provided to meet that duty. The applicant can request a review under S202 of the Housing Act 1996 (Part VII) and we would advise such households who wish to challenge suitability to use this process.

**Supplementary question:**

**Supplementary response:**