



ADUR & WORTHING
COUNCILS

Adur Cabinet Member for Housing and
Citizen Services, Worthing Cabinet
Member for Housing and Citizen
Services

Decision Ref No: JAW/009/24-25
Decision to be taken on or after
24 July 2024

Key Decision: Yes

Ward(s) Affected: Gaisford

**JAW/009/24-25 Skywaves House, Ivy Arch Road, Worthing, West Sussex:
Transfer of s106 Monies to the Capital Programme for the delivery of
Affordable Housing**

Report by the Director for Housing and Communities

Executive Summary

Purpose

- The delivery of affordable housing is a priority for this Council given the extreme homelessness pressures in Worthing.
- This report seeks approval to release £570,000 from the £1,765,800 Aquarena Bayside Section 106 budget to Worthing Homes for the purpose of developing the Skywaves House site situated on Ivy Arch Road, Worthing for the purposes of converting this into affordable self contained housing, with a hub (communal space) and support, for single homeless people.

Recommendations

2.1 The Cabinet Member is asked to:

- Have regard to the contents of this report and to approve a budget of £570,000 from the £1,765,800 Affordable Homes budget to Worthing Homes to develop:

i) 21 self-contained flats including a female-only wing and ground-floor disabled access flats in which the council will be granted 100% nomination rights for 60 years.

ii) to delegate to the Director for Housing and Communities, authority to enter into a nominations agreement with Worthing Homes on the terms set out in this Report.

iii) provision of a hub to deliver therapeutic and health interventions, life skills and office space for multi-disciplinary working

1. Background

- 1.1. Section 106 monies are paid by developers as part of planning permission to develop a site to contribute to community infrastructure, the Aquarena Bayside 106 budget requirement is to support the delivery of affordable homes. The Joint Strategic Committee (9 November 2021) approved the virement of the Section this 106 budget to Executive Member for Customer Services for the purpose of delivering affordable homes.
- 1.2. Skywaves House in Ivy Arch Road was purchased by Worthing Homes in consultation with the Council's Housing Needs Team and Turning Tides, to meet the needs of single people with complex (multiple co-occurring) support needs. We currently do not have any suitable provision to meet their housing needs and support them into independent living, contributing to people experiencing repeated and long term rough sleeping. The lack of this type of provision is a gap identified by the Department for Levelling Up, Housing and Communities (DLUHC) as a barrier to achieving our goal of ending rough sleeping and continued receipt of Rough Sleeper Initiative (RSI) funding is dependent on delivering this site to meet this need.
- 1.3. The lack of suitable housing to meet the needs of those with complex support needs results in people repeat and long term rough sleeping as well as additional burdens to the council in providing temporary accommodation as a result of repeat homeless applications. The repeat placements into unsupported temporary accommodation of those with complex needs impacts other residents in the accommodation as well as the immediate local community.
- 1.4. The site was considered suitable for this provision due to its location on an

industrial site. The location together with a robust management plan will mitigate any potential impacts on local communities compared with other areas.

- 1.5. This type of provision is identified by DLUHC as critical to the priority of ending rough-sleeping, the scheme has been awarded £1,995,000 capital and £142,269 revenue via the Single Homeless Accommodation Programme, with Worthing Homes contributing £1,005,113. Under the scheme terms, Worthing Homes will lease the property to Turning Tides for 60 years with Worthing Borough Council retaining first refusal to use the building, for example as temporary accommodation, should the need for the provision end and the building becomes available to be repurposed. The building design has taken account of this and will be suitable for repurposing to permanent affordable housing.
- 1.6. The Council currently has no accommodation available to meet the housing and support needs of those who experience repeated rough sleeping with multiple and co-occurring support needs as well as for those who are excluded from other accommodation provision. This results in those experiencing rough sleeping being on the streets for significant periods and risks their long term health along with increased likelihood of early death. The average age of death for someone experiencing rough sleeping is 47 years old for men and 44 years old for women, compared to the general population being 74 years old for men and 80 years old for women. This provision is vitally important to enable people with complex needs to have their support needs met and be able to move on into independent living, rather than revolving between temporary accommodation, supported accommodation, the streets, in prison and in some cases as in patients in hospital, residential care and mental health institutions.
- 1.7. The absence of provision for those with complex needs results in not only long-term rough-sleeping, but also single people being in temporary accommodation for prolonged periods with no move-on options. Their placement into temporary accommodation places additional demands on the Housing Needs team to provide support as well as managing multiple evictions and replacements until options are exhausted, resulting in further evictions to the streets.
- 1.8. Delivery of the scheme is critical to meeting the housing and support needs of single people with complex needs and a condition of Rough Sleeper Initiative funding. This is a key part of the council's work to provide housing pathways for single people that meet their needs. People with complex

needs experiencing homelessness are often rooted in trauma. Research by Northumbria University, revealed that 94% of people facing homelessness have experienced trauma that was most often complex and occurred at multiple stages throughout life, the research also concluded that until the trauma is tackled, then their homelessness will not be resolved. This, and other research has led to the development of accommodation and support across the country to meet this need and works towards the goal of ending rough sleeping. Experiencing homelessness and rough sleeping is a further trauma that impacts those who experience it.

- 1.9. As part of the Rough Sleeper Initiative work, there is a requirement to identify our Target Priority Group (TPG), these are people without housing to meet their needs and are in the cycle of repeat and long term rough sleeping. The group is regularly reviewed and there are currently 44 Worthing residents in our TPG. When reviewed, 14 people were removed (5 lost contact for more than 6 months, 6 in settled accommodation and 3 deceased) and 15 new cases were added.
- 1.10. The combined funding will enable the site to be developed to provide 21 self-contained flats and a hub for client support activity and multi-agency co-location. The hub is essential to provide facilities to enable access to health support and services for physical and mental health conditions as well as direct access to support for substance misuse, the hub will provide a clinical room for nurses to deliver health and substance misuse interventions and rooms for counselling. It will also contain communal amenities for multi-agency staff team co-location, a kitchen for communal cooking and eating and lifeskills / tenancy management courses to be delivered; essential elements to support residents into independent living and break the cycle of long term and repeat rough sleeping.
- 1.11. The site is in an industrial employment area and whilst the proposal is to develop this as a residential site, as a supported living scheme, it will increase numbers employed at the site than there is currently.

2. Context

- 2.1 In the 2023/2024 year, there were 87 new rough sleepers in Worthing - these are people who have not previously rough slept and on average 29 people are verified rough sleeping in any one month, with 13 meeting the DLUHC definition of long term rough sleeping. In Adur there were 19 new rough sleepers in the year, and on average 3 people verified rough sleeping

in any month, with 1 meeting the DLUHC definition of long term rough sleeping.

- 2.2 We currently have 18 repeat and long-term rough-sleepers in Worthing who do not have a housing option, 15 of these are included in the TPG cohort of long-term rough sleepers for whom we have been instructed by DLUHC to develop housing plans with the aim of ending their dependence on rough-sleeping. Each of these individuals has experienced multiple evictions from various accommodation settings, such as supported housing and temporary accommodation. They require specialist supported housing provision to help them maintain accommodation and to help them engage better with the support services required to address their complex support needs. This does not include those in temporary or supported accommodation whose needs are not being met to enable them to move on into independent living, or those in prison.
- 2.3 Currently, the needs of long-term rough-sleepers' (in the TGP and others now verified as rough-sleeping for 3 or more months) are not being met. The services that support rough-sleepers struggle to provide a full level of support (e.g. drug & alcohol support, mental and physical health support) while their clients remain street homeless, the Skywaves development will not only enable services to collaborate with health and substances misuse services on site, it will also enable care packages to be provided to those who need it and meet the threshold under the Care Act.
- 2.4 An analysis of the support needs of single people placed in temporary accommodation in June 2023 across both authorities identified that 15 females and 23 males presented with three or more support needs and are, therefore, considered to have complex and multiple needs. Additionally there are people in current supported provision that do not meet their needs and are 'stuck' in the system in a cycle of evictions and repeat rough sleeping. The support needs that many single people experience can include physical ill-health, neurodiversity and learning disabilities, being at risk of domestic abuse, drug dependency, alcohol dependency, a history of offending, a history of rough-sleeping, repeat homelessness or mental health needs and early death. The analysis also identified 156 individuals in temporary accommodation who have 1 or 2 identified support needs, many of whom have had placements into supported accommodation and have not been able to sustain their placements, resulting in new homeless applications and placements into temporary accommodation.

- 2.5 Temporary accommodation (TA) is unsupported and therefore does not provide the safety and security that the members of this cohort need to engage with support services and begin their pathway to recovery. Due to the very limited provision for people with support needs, this cohort can spend long periods in temporary accommodation waiting for a suitable placement, impacting their wellbeing further with a risk that they could be evicted and return to rough sleeping. Their unmet needs and inability to maintain terms of occupation in supported and temporary accommodation then also impacts their ability to move on into independent living as their housing history is a barrier to landlords accepting them.
- 2.6 The Skywaves scheme will play an important role in contributing to local and national rough-sleeping strategies. Priority 1 of Adur and Worthing Council's Housing Strategy (Housing Strategy 2020-23: Enabling Communities to Thrive in their own Homes) includes a focus on reducing the need for people to sleep rough and improving health outcomes for those who have slept rough. It also outlines a commitment to developing the single person's pathway to introduce 'Step Up' and 'Step Down' options and temporary exclusions rather than evictions to further address the issue of repeat evictions and long-term exclusion, and develop move-on options that meet the varying needs of single homeless people. The provision proposed at Skywaves is essential to achieving a pathway for single people.
- 2.7 In September 2022, DLUHC published its rough-sleeping policy '*Ending Rough Sleeping For Good*' which among many other key objectives outlines the government's national commitments to the prevention of rough sleeping, including:
- Supporting the sector toward an enhanced accommodation offer - facilitating a shift from communal and rotating night-shelter provision toward higher-quality static accommodation offers which give people the space and dignity they need to begin turning their lives around.
 - Ensure every person sleeping rough receives the support they need to recover and move away from the streets long-term, helping them back into a stable home, and into work or training if they can. This will help to ensure their rough-sleeping experience is non-recurring.
 - Bring an end to the pattern of cyclical, seasonal service provision, enabling year-round provision that meets people's needs.

3. Issues for consideration

- 3.1 Table 1 below shows a snapshot of the amount and location of TA placements in September 2023. Both authorities have high volumes of out-of-area placements, 60% for WBC and 90% for ADC compared to the national average of 28.6% published by the DLUHC statutory homelessness in England statistics for January to March 2023.

Table 1:

WORTHING								
	Placement Areas						Total Households	% of out of area placements
	Worthing	Arun	Adur	Brighton	Outside WAAB but within W Sussex	Outside W. Sussex		
Families	80	32	0	12	1	15	140	43%
Couples (no children)	0	5	0	4	0	5	14	100%
Singles	69	42	13	38	13	43	218	68%
TOTAL	149	79	13	54	14	63	372	60%

ADUR								
	Placement Areas						Total Households	% of out of area placements
	Worthing	Arun	Adur	Brighton	Outside WAAB but within W Sussex	Outside W. Sussex		
Families	10	9	5	7	0	1	32	84%
Couples (no children)	0	0	0	0	0	0	0	N/A
Singles	21	10	5	17	1	15	69	93%
TOTAL	31	19	10	24	1	16	101	90%

- 3.2 The high volume of out-of-area placements is due to the low availability of local properties that are suitable for use as TA, which are typically either small/medium sized blocks of self-contained flats, converted former care homes, hotels/guest houses or Houses of Multiple Occupation.
- 3.3 68% of single person TA placements for WBC and 93% for ADC are located out of area disconnecting people from local support services, social networks and further increasing the risk of deterioration of mental health which can result in increased dependency or relapse to drug and alcohol use and consequently the loss of accommodation with a return to rough-sleeping.
- 3.4 Skywaves is located within a central location in Worthing on the industrial site at Ivy Arch Road and will provide vitally-needed local accommodation that will enable people to retain their social networks and gain access to

support, including support for addiction and mental health and assistance with securing employment and permanent housing.

- 3.5 Since the Covid pandemic, the model of communal sleeping for delivering winter provision is no longer supported and attracts no funding from DLUHC and housing those who are excluded from all accommodation during Severe Weather Emergency Protocol (SWEP) is extremely challenging and the lack of suitable provision placing them at higher risk of death in winter months. Rough Sleeper Initiative funding is dependent on delivering accommodation to meet this unmet need.
- 3.6 The hub services at Skywaves will include communal areas, a kitchen, training rooms, counselling rooms and a clinical room, as well as outdoor space. This is essential to enable services to colocate and provide support and interventions to address poor mental and physical health as well as substance misuse that have arisen as a consequence of past traumas and will then enable people to move on into independent living
- 3.7 Support staff will be on site 24 hours a day and residents will be required to sign licence agreements with conditions of occupancy that will include conduct in the accommodation locality. This will enable the service to address concerns of anti-social behaviour raised by residents during the planning process and gives the ability to enact an immediate eviction if deemed necessary.
- 3.8 Turning Tides will work with the council, police and relevant partners and stakeholders to develop a management plan that takes account of the community and provides a forum for any concerns to be raised and addressed.
- 3.9 The majority of those housed at the provision will be Worthing residents, but there will on occasion be Adur residents that will need to access the provision to meet their housing needs, based on current figures, this would be less than 5% - e.g. 1 resident at any given time.
- 3.10 The council contribution to the funding will enable the site to be delivered with a hub which will be essential to meet support needs and deal with past traumas so that those housed will be able to move on into independent living as their mental health, physical health, substance misuse and daily living skills will be supported

3.11 The funding will provide the council with nomination rights into the scheme for 60 years, Worthing Homes will own the building and under the terms of the Single Homeless Accommodation Programme funding will lease it to Turning Tides for 60 years, and as the owner be responsible for the building and with Turning Tides responsible for managing the building under the terms of the lease.

- Note that the terms will:

i) give the council 100% nomination rights into the scheme for 60 years;

ii) the Council will have oversight and approval of proposed evictions from the scheme via an agreed Eviction Protocol to be developed and monitored by the Adur and Worthing Homelessness and Rough Sleeping Prevention Partnership;

iii) will deliver a hub that will host multi-agency services, including Housing Needs and Rough Sleeper Initiative personnel;

iv) will deliver a hub to enable service-user support and activities

v) in the event there is no longer need for the services provided at the scheme, that in consultation and agreement with Worthing Borough Council, it be converted to affordable housing to meet housing need via the housing register, or, other suitable scheme as agreed by the council.

- Authorise, within existing and approved budgets and in accordance with delegated authority 2.6.8 of the Officer Scheme of Delegations, the Director for Housing and Communities to enter into a grant funding and nominations agreement with Worthing Homes to deliver a supported accommodation scheme as set out in this report.
- Agree that (given that this is a joint housing service) access to this provision can also include Adur residents when authorised by the Housing Needs Team via the Rough Sleepers Team and Pathways meetings. This will be nominal - Adur rough sleeper numbers generally between 0 and 3 with the majority being able to have their housing need met in existing provision. Access will be permitted when there isn't another suitable housing option that meets the need.

4. Alternative and additional options considered:

4.1 The Councils' are currently working with providers to meet our temporary accommodation needs for provision of accommodation with staff and support for single people, to enable them to sustain their accommodation and prevent rough-sleeping as well as reduce impacts on local

communities. This is both in and out of the borough due to the challenges of securing sites in the area. In borough, the service proposes to contract at Windsor Road if the developer secures planning permission. Sites have been contracted in Littlehampton with support with DLUHC funding an additional worker through Turning Tides. This worker operates from their Littlehampton hub and inreach into accommodation as well as a supported 38-bed service in Bognor Regis. A site locally that we had hoped to realise is no longer available due to increasing development costs, with another contracted to Sussex Partnership Foundation Trust. This highlights the importance of securing suitable sites that meet our needs both in terms of amenities and that will reduce our spending on temporary accommodation.

4.2 However, these services alone are not sufficient to manage the volume of people and level of support needed as all existing supported housing services are overwhelmed and no new local provision is being developed for those with multiple support needs who are excluded from current provision. The accommodation provided at the Skywaves site will help to meet this demand and will also enhance the overall offer for single people and support the establishment of a pathway to reduce evictions to the streets.

4.3 Doing nothing will lead to continued and increased rough-sleeping which will have a detrimental impact on the local community and increase pressure on other public services, including the Police, NHS and Sussex Partnership Foundation Trust. It will also perpetuate 'revolving door' TA placements which can be very costly for the councils and lead to poor and undesirable outcomes for individuals.

4.4 Contract Terms and Conditions:

4.4.1 **Council is responsible for:**

- Nominations into the scheme
- Oversight and approval of any proposed eviction

4.4.2 **Worthing Homes will**

- Lease the building to Turning Tides on a 60-year lease (terms of the Single Homeless Accommodation Programme funding which has provided capital funding and revenue support funding as part of the Rough Sleeper Initiative and to support our strategic aim to end rough sleeping)

4.4.3 Landlord: Turning Tides responsible for:

- All internal and external parts of the building and associated repairs
- Tenant damage
- Building/landlord insurance
- Maintaining the property in a lettable standard if for example there was a fire or flood
- Dealing with evictions
- Day-to-day management including dealing with anti-social behaviour
- Arranging and undertaking repairs
- Electrical and gas safety checks and ensuring the property is compliant with all fire and health and safety regulations
- Check-in/check-out occupiers
- 24 hour emergency call out
- All furnishings including adequate provision of beds and mattresses
- Water, gas and electricity bills
- Council tax
- CCTV
- 24 hour on site staff
- Cleaning
- Rent collection

5. Engagement and Communication

- Liaison with Members, Housing, Private Sector Services, Planning and Finance.
- Communication with advisors from the Department for Levelling Up, Communities and Housing.
- Engagement with local residents and businesses as part of the planning application.
- Communication with staff and stakeholders who form the Rough Sleepers Team.
- A management plan with multi-agency support will be put in place by Turning Tides with engagement with local residents and business.

6. Financial Implications

- In November 2021 Joint Strategic Committee approved a virement of £1,765,800 of Section 106 funds associated with the Aquarena Bayside development to the Worthing Borough Council Affordable Homes capital budget. The purpose of the funding being the delivery affordable homes

- The current Affordable Homes budget within the Worthing Borough Council capital programme for 2024/25 is £2.612m.
- Members are asked to approve the release of £570,000 of the Affordable Homes budget to Worthing Homes for the purpose of developing the Skywaves House site situated on Ivy Arch Road, Worthing. The purpose of the scheme is to convert the site into affordable self-contained housing, with a hub (communal space) and support, for single homeless people.
- As set out in section 2.1 of the report the scheme will deliver 21 affordable units and the council will get 100% nomination rights. This meets the purpose of the use of the s106 funding.

7. Legal Implications

- Members of the Joint Strategic Committee (9 November 2021) approved the virement of the Section 106 budget to Executive Member for Customer Services for the purpose of delivering affordable homes.
- Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.
- s1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation
- Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- s1 Local Government (Contracts) Act 1997 confers power on the Council to enter into a contract for the provision of making available assets or services for the purposes of, or in connection with, the discharge of the function by the Council.
- Regulation 10 of the Public Contract Regulations 2015 confirms that, a contract for the acquisition of land (in this instance acquisition of nomination rights) by whatever financial means, falls outside of the procurement process.

Background Papers

- [Transfer of s106 monies \(JSC 9 November 2021\)](#)
- Adur and Worthing [Community Homelessness Prevention Strategy](#)
- DLUHC [Ending Rough Sleeping for Good Strategy](#)
- [Housing Strategy 2020 - 2023](#): Enabling Communities to Thrive in their own Homes

Officer Contact Details:-

Amanda Eremie

Housing Needs Manager

01273 263025

amanda.eremie@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

- The provision will support the reduction of rough sleeping in our town and impact this has on local businesses.

2. Social

2.1 Social Value

- The provision will provide housing and support to recover from trauma and move on into independent living for some of the most vulnerable and disadvantaged people in our community.
- The provision will support the reduction of rough sleeping and the impacts on local communities from people living on the streets and congregating due to having nowhere to go.
- The provision will reduce people repeatedly rough sleeping and receiving custodial sentences as will provide a housing option that meets their needs.
- The provision will support the reduction of harm e.g. violence that arises from living on the streets.

2.2 Equality Issues

- In relation to the the public sector Equality Duty (Section 149 of the Equality Act 2010), the Council's allocation to the accommodation will have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity between different groups
 - Foster good relations between different groups
 - of any household with a member with a 'relevant protected characteristic' when placing into the accommodation, with disabled access flats to meet the need of those with mobility issues / wheelchair users.

2.3 Community Safety Issues (Section 17)

- To prevent occurrences of anti-social behaviour, the property will have 24-hour staffing and will be equipped with CCTV.
- Terms of occupation will include expected behaviours in the locality.

2.4 Human Rights Issues

- Matter considered, no issues identified

3. Environmental

- This property will be designed to maximise thermal efficiency and conform with current building regulations.
- Recycling will be encouraged.
- Reduction in travel for residents as well as staff who travel to provide inreach support to our out of area accommodation.

4. Governance

- The property will be owned by Worthing Homes and leased to Turning Tides, there will be a partnership approach to stakeholders e.g. police to manage any community issues and engagement with local residents and businesses.
- As set out in the Delivering Pathways To Affordable Homes document and the Housing Strategy 2020-23, we have increasing demand for temporary accommodation that requires us to secure more affordable accommodation options.
- [Temporary Accommodation Placement and Procurement Policy](#) requires us to employ a variety of approaches to maintain the supply of good quality TA, including increasing the number of leased properties in its stock by developing a private rented leasing scheme. This property is not leased or owned by the councils but the agreement allows us to secure nomination rights without taking a legal interest in the property or land.