

# Appendix 1

## Homelessness Act 2002

Homelessness reviews and strategies:  
England

### **1 Duty of local housing authority in England to formulate a homelessness strategy**

- (1) A local housing authority in England (“the authority”) may from time to time—
  - (a) carry out a homelessness review for their district; and
  - (b) formulate and publish a homelessness strategy based on the results of that review.
- (2) The social services authority for the district of the authority (where that is a different local authority) shall give such assistance in connection with the exercise of the power under subsection (1) as the authority may reasonably require.
- (3) The authority shall exercise that power so as to ensure that the first homelessness strategy for their district is published within the period of twelve months beginning with the day on which this section comes into force.
- (4) The authority shall exercise that power so as to ensure that a new homelessness strategy for their district is published within the period of five years beginning with the day on which their last homelessness strategy was published.
- (5) A local housing authority in England shall take their homelessness strategy into account in the exercise of their functions.
- (6) A social services authority shall take the homelessness strategy for the district of a local housing authority into account in the exercise of their functions in relation to

that district.

- (7) Nothing in subsection (5) or (6) affects any duty or requirement arising apart from this section.

### **2 Homelessness reviews**

- (1) For the purposes of this Act “homelessness review” means a review by a local housing authority of
  - (a) the levels, and likely future levels, of homelessness in their district;
  - (b) the activities which are carried out for any purpose mentioned in subsection (2) (or which contribute to their achievement); and
  - (c) the resources available to the authority, the social services authority for their district, other public authorities, voluntary organisations and other persons for such activities.
- (2) Those purposes are
  - (a) preventing homelessness in the district of the authority;
  - (b) securing that accommodation is or will be available for people in the district who are or may become homeless;
  - (c) providing support for people in the district—
    - (i) who are or may become homeless; or
    - (ii) who have been homeless and need support to prevent them becoming homeless again.
- (3) A local housing authority shall, after completing a homelessness review
  - (a) arrange for the results of the review

to be available at its principal office for inspection at all reasonable hours, without charge, by members of the public; and

- (b) provide (on payment if required by the authority of a reasonable charge) a copy of those results to any member of the public who asks for one.

### 3 Homelessness strategies

- (1) For the purposes of this Act

“homelessness strategy” means a strategy formulated by a local housing authority for

- (a) preventing homelessness in their district;
  - (b) securing that sufficient accommodation is and will be available for people in their district who are or may become homeless;
  - (c) securing the satisfactory provision of support for people in their district—
    - (i) who are or may become homeless; or
    - (ii) who have been homeless and need support to prevent them becoming homeless again.
- (2) A homelessness strategy may include specific objectives to be pursued, and specific action planned to be taken, in the course of the exercise of—
    - (a) the functions of the authority as a local housing authority; or
    - (b) the functions of the social services authority for the district.
  - (3) A homelessness strategy may also include provision relating to specific action which the authority expects to be taken
    - (a) by any public authority with functions (not being functions mentioned in subsection (2)) which are capable of contributing to the achievement of any of the objectives mentioned in subsection (1); or
    - (b) by any voluntary organisation or other person whose activities are capable of contributing to the achievement of any of those objectives.

- (4) The inclusion in a homelessness strategy of any provision relating to action mentioned in subsection (3) requires the approval of the body or person concerned.
- (5) In formulating a homelessness strategy the authority shall consider (among other things) the extent to which any of the objectives mentioned in subsection (1) can be achieved through action involving two or more of the bodies or other persons mentioned in subsections (2) and (3).
- (6) The authority shall keep their homelessness strategy under review and may modify it from time to time.
- (7) If the authority modify their homelessness strategy, they shall publish the modifications or the strategy as modified (as they consider most appropriate).
- (7A) In formulating or modifying a homelessness strategy, a local housing authority in England shall have regard to—
  - (a) its current allocation scheme under section 166A of the Housing Act 1996,
  - (b) its current tenancy strategy under section 150 of the Localism Act 2011, and
  - (c) in the case of an authority that is a London borough council, the current London housing strategy.]
- (8) Before adopting or modifying a homelessness strategy the authority shall consult such public or local authorities, voluntary organisations or other persons as they consider appropriate.
- (9) The authority shall—
  - (a) make a copy of everything published under section 1 or this section available at its principal office for inspection at all reasonable hours, without charge, by members of the public; and
  - (b) provide (on payment if required by the authority of a reasonable charge) a

copy of anything so published to any member of the public who asks for one.

#### **4 Sections 1 to 3: interpretation**

In sections 1 to 3—

“homeless” and “homelessness” have the same meaning as in Part 7 of the Housing Act 1996 (c 52) (in this Act referred to as “the 1996 Act”)

“local housing authority” and “district” have the same meaning as in the Housing Act 1985 (c 68)

“social services authority” means a local authority for the purposes of the Local Authority Social Services Act 1970 (c 42) [or Part 8 of the Social Services and Well-being (Wales) Act 2014]

“support” means advice, information or assistance

“voluntary organisation” has the same meaning as in section 180(3) of the 1996 Ac