

## **Kirkcaldy Area Committee**

**29 August 2023**

**Agenda Item No: 04 – Area Housing Plan 2023-26 - Additional Appendix**

### **Normalisation statement for Area Lettings plans**

The Fife Occupancy Agreement for scatter flats (temporary accommodation) was challenged by SHELTER, Scotland and, in March 2022, a Sheriff at Kirkcaldy Sheriff Court ruled that the Occupancy Agreement provided within statutory temporary accommodation was flawed and effectively provides a Scottish Secure Tenancy.

This had the effect that all occupants of sole occupancy temporary accommodation provided by Fife Council (over 600 properties) are effectively secure tenancies. Those booked into temporary accommodation addresses prior to 27<sup>th</sup> April 2022 were affected.

As a result of this legal judgement, several actions were taken by Fife Council in relation to its housing stock as a response to the legal decision:

- A suspension of the pre-allocations practice within the Council's allocation process.
- Diversion of 70% of all empty properties to replace temporary accommodation.
- The remaining 30% were allocated to priority groups including homeless customers not in scatter flats, care experienced young people, hospital discharge etc.
- The development of a phased and people led 'Tenancy Normalisation' process over a 12 month period to discharge homeless duty.

As a result of these actions, there has been a direct impact on the way in which Fife Council has allocated its stock over this time to allow for the impact of the legal judgement and to balance this with the provision of temporary accommodation and homeless services.