

Temporary Accommodation Policy (Revised June 2026)

Contents

Temporary Accommodation Policy (Revised June 2026).....	1
Contents	1
1. Introduction.....	2
2. Temporary accommodation: key principles	3
3. Placements and prioritising households	4
4. Decision-making framework for TA placements	7
5. Refusals of temporary accommodation and discharge of duty	8
6. Charging for Temporary Accommodation	9
7. Move-on from Temporary Accommodation	11
8. Pets in temporary accommodation	11
9. Temporary accommodation procurement.....	12
10. Duty to Notify	13
11. Monitoring and Review	14
12. Contact us.....	15

1. Introduction

Tunbridge Wells Borough Council (“the Council”) has a duty to provide interim accommodation (under s188 of the Housing Act 1996) and temporary accommodation (under s193 of the Housing Act 1996) (hereafter referred to as TA), for households who approach the Council as homeless and meet the criteria set out in the Housing Act 1996 Part VII, as amended by the Homelessness Act 2002.

This document sets out the council’s approach to the provision of TA and placements into both interim and TA, both in and out of the borough, including:

- Placements and prioritising households
- Refusals of TA and discharge of duty
- Decision making framework for TA placements
- Refusals of TA and discharge of duty
- Charging for TA
- Move-on from TA
- Pets in TA
- TA procurement
- Duty to notify
- Monitoring and review

The policy account of the statutory requirements on local authorities in respect of the suitability of accommodation, including the Homelessness Suitability Order 2003, Suitability of Accommodation Orders, the Homelessness Code of Guidance, and any supplementary guidance. The policy also has regard to the ‘*Prevention of homelessness and provision of accommodation for 16- and 17-year-old young people who may be homeless and/or require accommodation*’ guidance which states that:

“5.10 Children’s and housing services are reminded that bed and breakfast accommodation, including hotels and nightly let accommodation with shared facilities, is not considered suitable for any 16 or 17 year old.”

As per section 208(1) of the Housing Act 1996, and chapters 16 and 17 of the Homelessness Code of Guidance, so far as reasonably practical, the Council seeks to accommodate homeless applicants within its Borough and always consider the suitability of the accommodation, taking into account the circumstances of the individual household. However, due to an acute shortage of affordable housing, and TA locally, consideration needs to be given to accommodation outside of the Borough to ensure homeless households can be suitably housed.

This policy has been written with due regard to the public sector Equality Duty (Section 149 of the Equality Act 2010). The need to safeguard and promote the welfare of adults at risk and children, as required by the 2014 Care Act and section 11 of the Children’s Act 2004, has also been taken into consideration.

2. Temporary accommodation: key principles

The Council has a limited stock of TA owned directly by the Council. Dowding House was developed in 2018 as a block of 25 units of TA, a mix of studio, one-bedroom and two-bedroom flats and a separate three-bedroom maisonette. The Council also owns a further 30 homes used as TA, which are a mix of one to four bedrooms in size. These include 6 one-bedroom flats, developed under the Next Steps Accommodation Programme (NSAP) as short to medium-term accommodation for rough sleepers.

In recent years the Council has accessed capital grant funding from the Local Authority Housing Fund (LAHF) programme to increase its TA portfolio and reduce reliance on the use of nightly paid accommodation.

The Council also leases some properties from Town and County Housing, primarily studio and one-bedroom flats and well as small number of properties from the private sector, including a 7-bedroom house of multiple occupation (HMO) for use as off-the-street provision for rough sleepers. Off-the-street accommodation refers to immediate, short-stay emergency housing designed to get rough sleepers safely off the streets. This provides a safe, warm environment where the applicant's immediate needs are stabilised while long-term housing options are explored.

The council aims to ensure a supply of good-quality TA and accommodation for homeless households by:

- Working with private providers to supply nightly paid properties,
- Using existing and future council owned and housing association stock,
- Exploring options for working with private sector landlords to increase the number of properties available to homeless households,
- Working with supported housing providers to increase provision and develop pathways to both accessible and move on from supported housing provisions.

The Council will seek placements within the Tunbridge Wells Borough as far as reasonably practicable in line with legislation and statutory guidance (section 208 of the Housing Act 1996 (as amended)). However, as there is limited supply of accommodation within the Tunbridge Wells Borough to meet housing need, it may be necessary to secure accommodation outside of the Borough. In such cases, accommodation will be sought in neighbouring boroughs, but availability challenges could lead to placements in locations further away. The process of determining if a provision is reasonably practicable will balance consideration of costs as well as suitability in terms of property size, location, type, and the particular needs of homeless households.

Due to the limited supply of accommodation within the Tunbridge Wells borough and immediate neighbouring areas, the allocation of this accommodation will be prioritised for

homeless households with the greatest need to be in, or close to, a particular location in line with priority categories detailed within this policy. In some circumstances, it may be more appropriate for a placement outside of the area to be arranged, for example where an applicant may be at risk of domestic abuse or violence within borough.

The Council applies a structured decision-making framework (set out further in Section 4) to all placements. This ensures that decisions are consistent, evidence-based, and capable of withstanding legal scrutiny.

When determining a placement, the Council will:

- Undertake a detailed assessment of the household's needs and circumstances;
- Consider the availability of suitable accommodation within the Tunbridge Wells Borough in the first instance;
- Where suitable in-borough accommodation is not available, consider accommodation in neighbouring boroughs before considering placements further afield;
- Record the reasons why accommodation closer to the Borough is not reasonably practicable, including reference to availability, cost, and suitability;
- Consider the impact of the placement on the household, including access to education, employment, healthcare, and support networks.

All placement decisions, particularly those involving out-of-borough accommodation, will be recorded in writing and retained on the applicant's case file.

The suitability of accommodation is assessed for all offers of accommodation, in accordance with statutory requirement and Chapter 17 of the Homelessness Code of Guidance. Suitability will be considered on a case-by-case basis to ensure any TA offered is reasonable and suitable for each household. Assessments are made in the context of the availability of accommodation and resources available.

The Council will make reasonable charges for the use and occupation of TA provided to homeless households to support the Council with the costs incurred by the provision of TA. Homeless households occupying TA can seek support towards the cost of the accommodation through a claim and award of Housing Benefit.

3. Placements and prioritising households

B&B accommodation is not to be regarded as suitable for an applicant with family commitments where accommodation is made available for occupation, except for where no other accommodation is available and provided that it is not occupied for a period, or a total of periods, exceeding 6 weeks.

The Council will seek to avoid placing families with children and pregnant women into bed and breakfast accommodation, or TA with shared facilities. In emergency situations where a placement into a B&B or shared accommodation cannot be avoided, the Council has committed in its Homelessness and Rough Sleeping Strategy 2026 – 2031 to limit the length of stay in such accommodation to a maximum of 14 nights.

Bed and breakfast accommodation, including hotels and nightly let accommodation with shared facilities, is not considered suitable for any 16 or 17-year-old and the Council will work with Kent County Council to identify suitable TA options for homeless 16 or 17-year-olds, where no alternative arrangements can be made for them to stay temporarily with appropriate family or friends.

When deciding if a TA placement is suitable, consideration will be given to Chapter 17 of the Homelessness Code of Guidance for Local Authorities, which states that the following factors need to be taken into account:

- Location
- Affordability
- Size, Condition and facilities
- Health factors
- Education
- Employment
- Proximity to services
- Any special circumstances

Assessments for suitability of a TA placement will be completed on a case-by-case basis to ensure any TA offered is considered reasonable and suitable for the household involved, considering the circumstances of the individual or household and the resources available.

The Council will look to secure placements within the Tunbridge Wells Borough as far as reasonably practicable in line with legislation and statutory guidance. However, as there is limited supply of accommodation within the Tunbridge Wells Borough it may be necessary to secure accommodation outside of the Borough.

In determining priority for an in-borough placement, priority for such accommodation will be given to homeless households whose circumstances may include:

- i. Applicants with children on a Child Protection Plan, or with significantly high or complex welfare needs where support can only be provided by statutory agencies within the Tunbridge Wells borough.
- ii. Households with a dependent child with an Education Health Care plan who is receiving specialist education support within the Tunbridge Wells borough and where this cannot reasonably be transferred to another school.
- iii. Applicants with a diagnosed severe and enduring mental health issue who are receiving regular psychiatric treatment within the Tunbridge Wells borough and a transfer of care would severely impact on their wellbeing.

- iv. Applicants who have been continuously employed within the Tunbridge Wells borough for a period of at least one year,
- v. Those who have worked within the borough of Tunbridge Wells for under one year or less than 16 or more hours a week and who have no adequate means of transport.
- vi. Women on maternity leave from employment meeting the same criteria would also be considered.
- vii. Applicants who have a child within the household who are due to take public examinations within the current school year, e.g. GCSEs, 'A' Levels or equivalent.
- viii. Exceptional circumstances – where a household's circumstances are particularly complex or significant vulnerabilities exist, to be considered on a case-by-case basis.

The above categories are not listed in priority order, nor is this list exhaustive. It may be considered that, following a detailed assessment of the household's current circumstances and needs, they should qualify for an offer of accommodation within the Tunbridge Wells borough, or outside it.

Given the shortage of TA, it is inevitable that Council will need to make decisions to prioritise the offer of particular TA within the Tunbridge Wells borough. This means that prioritisation may occur, not just between those who fall within one or more of the priority groups set out above and those who do not, but between those households who fall within the priority groups.

The following circumstances will be considered by the Council when reaching decisions on prioritisation between households:

- Welfare and safeguarding of any children in the household
- Level of special educational need
- Risks posed by living in particular areas
- The permanency or flexibility of employment
- Access to transport, services, medical facilities, support, cultural or religious amenities
- Impact on caring responsibilities
- Affordability of the accommodation

Where accommodation is available within the Tunbridge Wells borough and no priority groups require this accommodation, all other households, subject to suitability and risk assessment, will be considered for this accommodation, although there may be circumstances where the Council considers 'holding back' TA within the borough to ensure that there is available provision for a homeless households falling within a priority category.

Where temporary accommodation is secured outside of the Tunbridge Wells borough and the suitability assessment identifies that services from the receiving authority may be required, the Council will, where reasonably practicable, liaise with the receiving authority prior to the placement being made.

This may include sharing relevant information regarding:

- any safeguarding concerns;

- educational needs of children;
- health or support requirements; and
- involvement of statutory services.

This is to ensure that appropriate services and support can be maintained following the placement. This is separate from, and in addition to, the Council's statutory duty to notify receiving authorities as set out in Section 10

4. Decision-making framework for TA placements

In determining the most appropriate temporary accommodation placement for a household, the Council will adopt a structured and evidence-based decision-making framework to ensure consistency, transparency, and compliance with statutory requirements and relevant case law.

The Council will consider accommodation options in the following order of preference:

- Within the Tunbridge Wells Borough;
- Within neighbouring local authority areas, where this enables reasonable access to existing support networks, employment, education or medical services;
- Further afield, where no suitable accommodation is available closer to the Borough and it is necessary to discharge the Council's statutory duties.

For all placements, and in particular where accommodation is secured outside of the Borough, the Council will:

- Record the reasons why accommodation closer to the Borough was not reasonably practicable to secure;
- Consider the impact of the placement on the household, including disruption to education, employment, medical treatment, and support networks;
- Take into account the specific needs, vulnerabilities, and risks identified as part of the suitability assessment; and
- Ensure that the placement decision is proportionate and evidenced, having regard to the Council's available housing resources.

A written record of the decision-making process will be maintained for all placements to demonstrate how the Council has had regard to its statutory duties and guidance.

5. Refusals of temporary accommodation and discharge of duty

Applicants provided with TA will be made one offer of suitable accommodation. There is no obligation to allow applicants to view accommodation before they accept it and only in exceptional circumstances would it be possible for an applicant to view a TA property before deciding on whether to accept the offer. An example of an exceptional circumstance may be where an Occupational Therapist is involved with a household and needs to check whether a property is suitable for specialist equipment.

For interim placements made under Section 188 of the Housing Act 1996, applicants do not have the right to request a review of the Council's decision about the suitability of an offer. Where an applicant refuses an offer of interim accommodation, in most cases the Council will discharge the interim accommodation duty. The Council will only consider making a further offer of interim accommodation in exceptional circumstances, for example, where an applicant has refused an offer of interim accommodation having made their own interim accommodation arrangements, which breaks down at a later date and the children are subject to child protection arrangements, or where the children have severe disabilities. In such cases, one further offer of interim accommodation may be made at the discretion of the Council.

Applicants accepted as homeless under Section 193 of the 1996 Act have a right of review of the suitability of their TA placement. An applicant is entitled to submit a review at any time during the occupation of TA, or prior to occupation once a formal offer is made. The Council acknowledges that an applicant's circumstances and needs may change over time, where TA which was originally suitable may no longer be considered suitable by the applicant.

The Council will undertake an initial soft review where suitability concerns are raised and if upheld, an alternative offer of TA will be made. If the suitability concerns are not upheld, the applicant will have the opportunity to request a formal review which will be carried out by the Council's Review Officer.

Applicants have the right to accept an offer of TA and still seek a formal review. This position is encouraged for applicants who believe that an offer of TA is not suitable and are minded to refuse the offer.

Where an applicant refuses an offer of TA due to suitability concerns which are not upheld by the soft review, the Council will discharge the main Section 193 duty, meaning no further offer of temporary or settled accommodation will be made.

In applying this approach, the Council will ensure that decisions regarding refusals of temporary accommodation and the discharge of duty are made through a trauma-informed lens and with regard to the Think Family approach. This means recognising that a refusal of

accommodation may be shaped by past trauma, fear, safety concerns, or previous negative experiences of services, rather than a simple unwillingness to engage.

Officers will seek to understand the wider context of the household's circumstances, including the needs of children, safeguarding considerations, and the impact of instability on family wellbeing. Where appropriate, the Council will work collaboratively with partners, including children's services, health professionals and support agencies, to reduce the risk of harm and promote stability.

Clear, empathetic communication will be prioritised so that applicants understand the consequences of refusal while feeling supported to make informed decisions. This approach balances the Council's statutory duties with a commitment to minimise re-traumatisation, support resilience, and achieve sustainable outcomes for the whole family.

6. Charging for Temporary Accommodation

The Council is entitled to charge households placed in TA for their use and occupation of the accommodation. Homeless households occupying TA can seek support towards the cost of the accommodation through a claim and award of Housing Benefit (HB). In most self-contained accommodation, households will also be responsible for paying for their own utility bills and council tax and there may be an eligible service charge to cover items such as communal heating, lighting, cleaning and grounds maintenance. There are some units of TA, such as Dowding House, where the Council pays for utility bills and in these circumstances the Council will re-charge the costs to the household by means of a non-eligible service charge.

If a household is not entitled to full HB, and/or has a personal non-eligible service charge, they will need to pay the difference between the charge for their TA and their HB entitlement from their earning or entitlement to welfare benefits, or for persons of a pensionable age, their state or private pension.

Households will be charged for TA on a weekly basis, on each Monday, with charges pro-rata for any incomplete weekly period of occupation. Households are required to provide 24 hours' notice to the Council to terminate their TA and households will continue to be liable for the charge for their occupation in cases where no notice has been given to the Council and the Council either remains liable for paying a private provider of nightly paid TA, or until the Council is satisfied that a household has ceased to occupy their TA placement and surrendered by operation of law.

The charge to the household for their use and occupation of TA is in accordance with the maximum HB payable as detailed in the subsidy rules for TA, capped at a maximum of £375

per week for TA located in Broad Market Rental Areas (BMRA) outside of London, and £500 for BMRA in London.

Broadly speaking this is either the one-bedroom January 2011 Local Housing Allowance (LHA) rate of the BMRA in which the property is located where the property is either a Bed and Breakfast (B&B), or is non-self-contained accommodation held on licence (e.g. paid for by the Council at a nightly rate), or 90% of the one-bedroom January 2011 LHA rate for non-self-contained TA which has been leased to the Council, or is self-contained accommodation held on licence or leased to the Council.

For TA owned by the Council, as a non-stocking holding authority without a Housing Revenue Account, the maximum weekly HB subsidy amounts are equal to the level of rent charged. The charge to households occupying TA stock owned directly by the Council is set out the current LHA level, as of May 2026.

As the Council only owns stock within the Tunbridge Wells borough and within the High Weald BMRA the rents set are as follows:

Number of Bedrooms	Charge for TA (per week)
One	£184.11
Two	£247.40
Three	£304.47
Four	£420.00

The higher charge for the use and occupation of TA stock owned by the Council is reflective of the additional ongoing costs incurred by the Council to manage and maintain this stock, including responsibilities for responsive and planned maintenance and repairs, insurance, and cyclical works.

Eligible and ineligible service charges

For some of the TA stock owned by the Council, there may be both an eligible and ineligible service charge payable in addition to the base charge.

Eligible service charges are those charges relating to the provision of the accommodation, usually relating to service in communal areas, such as cleaning, lighting, heating, laundry facilities and grounds maintenance. Ineligible services charges relate to non-communal daily living expenses, such as personal use of water, lighting, heating.

The Council will apply eligible and ineligible service charges to TA stock owned by the Council, where such services are provided. For eligible service charges, the Council will only include the costs of communal cleaning and grounds maintenance and communal supply of electricity. Charges for cleaning and grounds maintenance will be set at the schedule of rates within the Council's cleaning contract, apportioned by the number of flats/rooms. Communal electricity charges are set using the most rent full years costs available, adjusted for inflation. Ineligible service charges are only chargeable on properties where the Council pays for the personal use of water, lighting, and heating. The Council will use the most recent full years available costs and apportion this to each flat or rooms.

The following properties will be subject to eligible and ineligible service charges:

- Dowding House (x25 flats)
- 58 London Road (x4 flats)
- 30-32 Crescent Road (x6 flats)
- 40 Hunters Way (x7 rooms) – ineligible service charge only
- 219 Upper Grosvenor Road (x3 flats)
- 20 Claremont Road (x5 rooms)

7. Move-on from Temporary Accommodation

The Council recognises that temporary accommodation is not a long-term housing solution and is committed to supporting households to move on to suitable, settled accommodation as quickly as possible.

From the point of placement, the Council will work with households to identify appropriate move-on options, which may include:

- access to social housing;
- support to secure private rented accommodation; and
- referral to supported housing where appropriate.

The Council will develop and maintain a resettlement approach that supports households to sustain accommodation and reduce the risk of repeat homelessness, including access to tenancy sustainment support and financial assistance where available.

The Council will prioritise households owed the main housing duty for suitable move-on opportunities.

8. Pets in temporary accommodation

The Council does not have a duty to accommodate pets, but should be sensitive to the importance of pets to some applicants, particularly elderly people and rough sleepers who may rely on pets for companionship.

Although it will not always be possible to make provision for the Council will give careful consideration to this aspect when making provision for applicants who wish to retain their pet.

Where TA can be provided that will enable a household to be accommodated with their pet, households will be required to sign a pet agreement with the Council.

Where there are no suitable TA properties that would enable a homeless household to be accommodated with their pets, they will need to make alternative arrangements for any pets whilst they are in such accommodation.

The Council can help place dogs and cats in kennels and catteries. Applicants are liable for the cost of accommodating pets and will need to ensure the pet/s are vaccinated, neutered, wormed and defleaed.

There is no provision for accommodating non-domestic pets, but support will be provided to access appropriate re-homing options.

For more information regarding pets in temporary accommodation, please see the Temporary Accommodation Pet Policy adopted in August 2025.

9. Temporary accommodation procurement

The Council will use the following options to secure sufficient TA provision, in a mix of sizes and types, to meet anticipated need:

A. Privately owned provision

- use of B&B and commercial hotels as emergency short-term options,
- nightly paid provision of self-contained properties and those with shared facilities,
- block booking arrangements (short term and longer term).

B. Council owned provision

- continued utilisation of TA stock owned by the Council,
- option to purchase additional properties on the open market for use as TA,
- explore opportunities on a case-by-case basis subject to funding options.

C. Working with Registered Provider partners

- continue to work with Register Provider partner to lease units of social housing stock, such as hard-to-let properties and empty decanted awaiting estate regeneration, for TA.

D. Private sector leasing or agreements to exclusive use of properties (including Service Level Agreements)

- work with private sector landlords to enter into lease or SLA arrangements.

A procurement exercise was carried out in 2022-23 with the Council going out to tender for interested private providers to providing nightly paid accommodation. A decision was made to cancel the tender, as none of the tenderer submissions met the required specification.

All TA units need to comply with the Council's minimum TA property standards and, where appropriate, management standards, in line with statutory legislative requirements.

Accommodation and compliance will be checked by the Council's Tenancy Officers including carrying out property inspections and checking relevant records.

All temporary accommodation secured by the Council must meet statutory safety requirements and the Council's minimum property standards. Where applicable, the Council will seek to ensure that accommodation meets the Decent Homes Standard and free from any category 1 hazards.

Prior to any placement into temporary accommodation, the Council will ensure that relevant compliance documentation is in place, including:

- a valid gas safety certificate;
- an Electrical Installation Condition Report (EICR);
- an Energy Performance Certificate (EPC); and
- a fire risk assessment where required.

The Council will undertake periodic inspections of temporary accommodation to ensure that properties remain safe, suitable and compliant.

The Kent Housing Group also commissioned a temporary accommodation project examine how the 13 Kent local authorities could improve the commissioning and management of nightly paid TA. The work was carried out in the context of a recent history of rapidly rising TA use, escalating costs, significant cross borough placements, and the possibility of future local government reorganisation in Kent.

The final report (February 2026) made several recommendations including countywide use of a temporary accommodation procurement portal, agreeing minimum standards and the enforcement of these for nightly paid accommodation, agreeing a common approaches for setting of TA rates paid and exploring joint leasing models for TA.

These recommendations are currently subject to further exploration.

10. Duty to Notify

When placing households in temporary accommodation, particularly outside of the Tunbridge Wells Borough, the Council will comply with its statutory duties under:

- Section 208 of the Housing Act 1996 (duties as to location of accommodation);
- Section 213AA of the Housing Act 1996 (duty to cooperate between authorities); and
- Section 213AD of the Housing Act 1996, as inserted by the Children’s Wellbeing and Schools Act 2026 (duty to notify in certain cases involving children).

The Council will ensure that all placements are undertaken in a manner that safeguards the welfare of children and vulnerable adults and promotes continuity of services.

Where a household is placed in temporary accommodation outside of Tunbridge Wells Borough, the Council will notify the receiving local housing authority prior to the placement where reasonably practicable, or otherwise as soon as reasonably practicable after the placement has been made.

The notification will include relevant and proportionate information to enable the receiving authority to understand the circumstances of the placement and any support required by the household.

In accordance with section 213AD of the Housing Act 1996 (as amended), where a household that includes dependent children is placed in temporary accommodation in the area of another local authority, the Council will:

- Notify the receiving local authority in writing of the placement;
- Provide such information as is required by the legislation and statutory guidance, including details of the children within the household and any known needs; and
- Do so within the timescales prescribed by the legislation or as soon as reasonably practicable where no timescale is prescribed.

This duty applies in all relevant cases regardless of whether additional support needs have been identified.

11. Monitoring and Review

The Council continuously monitors the numbers in TA to help ensure that budgetary pressures can be managed and reported upon, and that data regarding housing needs can be used to procure appropriate TA.

The Council recognises that the suitability of temporary accommodation may change over time. Accommodation that was suitable at the point of placement may become unsuitable due to changes in a household’s circumstances or as a result of prolonged occupation.

To ensure that accommodation remains suitable, the Council will carry out periodic reviews of all placements. Reviews will take place:

- Within 2 weeks of placement where the household has been placed in bed and breakfast or accommodation with shared facilities;

- At regular intervals thereafter for all households residing in temporary accommodation; and
- At any time where there is a material change in the household's circumstances, including changes in health, family composition, employment, or safeguarding concerns.

These reviews will reassess the suitability of the accommodation, taking into account the factors set out in the Homelessness Code of Guidance. Where accommodation is no longer considered suitable, the Council will seek to secure alternative accommodation as soon as reasonably practicable, subject to the availability of suitable housing.

All suitability reviews will be recorded on the applicant's case file and will inform any subsequent decision-making regarding the continuation or change of placement.

This policy will be reviewed annually, or sooner if required by changes in legislation or relevant case law, or following any changes to Housing Benefit subsidy rules for TA.

12. Contact us

If you have an enquiry about bringing an empty property back into use or if you would like to report an empty property, please contact us:

Housing Options Team:

E-mail: housingadvice@tunbridgewells.gov.uk

Tel no: 01892 526121