

# Cap on Safe and Legal Asylum Routes – Consultation Return - Decision taken under urgency powers

## Housing Committee Tuesday, 23 January 2024

Report of: Head of Housing

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Purpose: For information

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Publication status: Open

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Wards affected: All

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### **Executive summary:**

The Illegal Migration Act 2023 places a duty on the Home Secretary to set a cap on the number of entrants to the UK arriving on safe and legal routes for humanitarian purposes, and for the cap to be defined following consultation with Local Authorities.

A consultation on the cap on safe and legal routes was to be completed by local authorities by the 15<sup>th</sup> December 2023. This has now been extended to 9 January 2024. As these dates did not coincide with the Council's committee cycle, a decision was taken under the Council's urgency powers ('Standing Order No 35') by the Chief Executive and other Chief Officers following consultation with Group Leaders and the Chairman of the Housing Committee, to return the consultation response while offering accommodation to two households.

The Council's Constitution also details that any decision taken under urgency powers must be reported to the next scheduled meeting of the appropriate committee.

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**This report supports the Council's priority of:** Building a better Council

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## **Recommendation to Committee:**

That the decision made to offer support to two households under the Council's urgency powers and to complete the consultation on the cap on safe and legal routes be ratified.

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## **Reason for recommendation:**

The consultation is aimed at local authorities who provide housing or support to resettled individuals in the UK. Local authorities have been asked to submit a formal consultation response to the Government by the extended deadline of the 9 January 2024. Should the return not be completed by this date, a return of zero would be assumed. Despite a zero return, the consultation sets the expectation that numbers will be imposed on Local Authorities. This could potentially lead to limited control over numbers, hence the decision to submit a return confirming support for up to two households.

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## **Introduction and background**

- 1 The Government has set out a consultation of proposals to introduce a cap on safe and legal routes into the UK for refugees and asylum seekers in the calendar year 2025. Consultation for the overall capacity of local authorities to house and support individuals coming to the UK through the forthcoming cap on safe and legal routes is detailed in Appendix A.
  - 1.1 Surrey D&B's have been in discussion regarding the number of properties within their area which they can accommodate each year, some have opted to reply with a zero figure due to the increased demand they face through their housing registers, other refugee schemes and challenges regarding the closure of bridging hotels. Others have opted to submit a figure of three or less in line with the scheme. One Surrey authority is proposing up to eight properties. Surrey County Council have also been consulted due to the need for them to supply education, health and social care to anyone accommodated by the scheme.
  - 1.2 Local Authorities have been advised that even if a zero figure is returned, Government can still impose numbers on them. With this in mind, it was recommended to Group Leaders and the Chairman of the Housing Committee, that this Council submit a return of two properties. This being made up of one single occupant unit (the Council stock) in a harder to let scheme and one family sized unit preferably in the private sector.

- 1.3 This is in line with the Syrian Refugee Scheme that the Council currently supports. Although there is limited housing stock, the initial approach may have little impact on those households on the housing register and in temporary accommodation. In the long-term, the Council would need to look for extra properties to accommodate any potential additional cohort of refugees via safe and legal routes.
- 1.4 The majority of households awaiting accommodation via the housing register are in multiple occupation requiring larger family sized accommodation and not necessarily one bedroom accommodation.
- 1.5 With the prior benefit of managing refugee schemes it is expected that some entering the Country under the scheme will have ongoing complex support needs. Such support is in place for those currently accommodated under the various refugee schemes administered by the Council. It is not possible to commit to accommodating those with complex needs under this scheme due to the lack of expertise within the Council and low levels of resource within the Global Resettlement Team at Reigate and Banstead Borough Council. This was set out in the Council's consultation submission.
- 1.6 Funding to support the costs of those arriving through safe and legal routes will continue to be provided through the resettlement tariff, which will not be affected by the introduction of the cap.
- 1.7 The resettlement tariff is provided on a per capita basis to local authorities to help the families they have pledged to resettle and support into life in the UK. It is comprised of a core tariff of £20,520 per person, provided over a period of five years for UK Refugee Resettlement (UKRS) arrivals and over three years for Afghan Citizens Resettlement Scheme (ACRS) and Afghan Relocations and Assistance Policy (ARAP); as well as additional tariffs in the first year of up to £4,500 per child to cover education costs, and £850 for adults requiring English language support. An additional tariff of £2,600 is made available to local health bodies to cover healthcare costs in the first year.
- 1.8 Prior experience of accommodating and supporting refugees via the UK Refugee Resettlement and the Afghan Relocations and Assistance Policy, would suggest that the funding tariff set out above will be sufficient to support arrivals being accommodated within the district.

### **Other options considered**

- 2 Given the high numbers of households currently awaiting accommodation via the housing register and the support being provided to other resettlement schemes, a return of zero was considered. It is, however, likely that numbers will be imposed on local authorities even if a 'nil' response has been recorded and taken as zero capacity. A

decision to commit to two properties was agreed with Group Leaders to ensure future control of the numbers allocated to the district.

## **Consultation**

- 3 Discussions took place with Surrey County Council who provided feedback on capacity for education, health and social care within Surrey. Each Surrey District and Borough has included this information in their return.
- 3.1 Discussions have also taken place at Surrey Chief Housing Officers group and Surrey Housing Needs Managers meetings.

## **Key implications**

### **Comments of the Chief Finance Officer**

There are no direct financial implications arising from responding to the consultation.

### **Comments of the Head of Legal Services**

Responses to the consultation have to be well-considered and deliverable as it is expected that local authorities are committing to deliver this figure and will have to adhere to it if called upon. There is still some uncertainty around the Ukraine programmes, (in particular) as well as significant demand on the housing system, which makes anticipating future demand and capacity difficult at this time. However, if a nil response was provided, there is a risk the Council may simply be allocated a figure which would have been difficult to accommodate amongst the Council's current housing stock.

## **Equality**

There will be very little impact on existing residents and those currently awaiting accommodation on the housing register. It is expected that a single occupant will occupy a one-bedroom Council owned property, either being a hard to let studio or one bedroom flat.

A larger property will be sourced via the private sector, using the links built up to accommodate those previously under the Syrian Refugee scheme. This again, will have very little impact on those on the housing register as the proposed accommodation will be sourced specifically for this purpose.

The Equality Act is not relevant to the decision in this report because it is a response to a consultation by an external organisation. Therefore, it is considered that for this decision the Equality Duty does not need to be addressed and an Equality Impact Assessment (EqIA) has not been carried out.

## **Climate change**

There are no significant environmental / sustainability implications associated with this report.

### **Appendices**

Appendix A – Cap on safe and legal routes - consultation

Appendix B – Cap on safe and legal routes – consultation response form

### **Background papers**

None

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