

Agenda Item: 10



Report for:	Housing and Community Overview and Scrutiny
Date of meeting:	21st March 2012
PART:	1
If Part II, reason:	

Title of report:	STRATEGIC TENANCY POLICY
Contact:	Cllr Margret Griffiths Portfolio Holder for Housing Julia Hedger, Group Manager – Strategic Housing Luke de Kretser, Lead Officer – Housing Strategy & Partnerships
Purpose of report:	<ul style="list-style-type: none"> • To outline the principles that will underpin the Strategic Tenancy Policy and put forward a draft of the proposed Strategic Tenancy Policy for consultation
Recommendations:	<ol style="list-style-type: none"> 1. To adopt the Housing Principles as shown in Appendix 1 to this report 2. To approve the Strategic Tenancy Policy Consultation Paper and Preliminary Draft for consultation
Corporate and IDP objectives and benefits:	This project contributes to Affordable Housing.
Implications:	<u>Legal</u> It will cover the statutory requirements as set out in the Localism Act 2011 for the Council to have a Strategic Tenancy Policy.
Risk implications:	None at this stage
Equalities implications:	Not required at this stage

Health and safety implications:	N/A
Sustainability implications:	N/A
Consultees:	Corporate Director – Housing and Regeneration Assistant Director – Planning and Regeneration Assistant Director – Housing Landlord Group Manager – Strategic Housing Group Manager – Tenants and Leaseholders
Background papers:	Localism Act 2011 Government Housing Strategy CIH – The practical implications of tenure reform
Glossary of acronyms and any other abbreviations used in this report	See Glossary below

Background

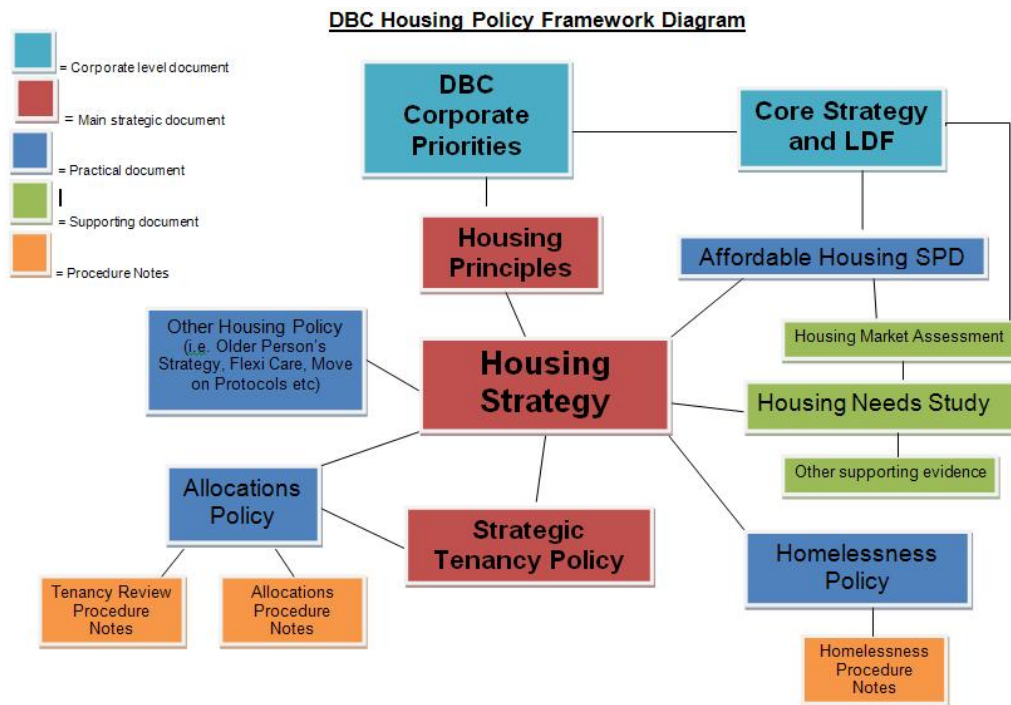
As a result of the Localism Act 2011, Local Authorities have a statutory duty to provide a Tenancy Strategy by January 2013. This document will need to explain what different types of tenancies will be granted in the Borough as well as clarifying the process for renewal.

The Strategic Tenancy Policy (STP) will outline how all stock (Housing Association and Local Authority) is allocated, although the document will not be binding for Housing Associations. The STP will be produced as an outline Strategic level document.

A full consultation process will be followed. The Tenants and Leaseholders Committee (TLC) were informed about the Council's duty to produce a STP on the 5th December. Dates have been offered to TLC members to further discuss the consultation with officers. All tenants will be consulted, including the TLC in more detail, as part of the consultation process.

Housing Principles

When looking at the Council's corporate priorities, STP requirements and other forthcoming housing policy reviews, it was considered beneficial to set out in a short document the principles underlying DBC's Strategic Housing direction. Therefore, the Housing Principles document (Appendix 1) will help shape the direction of both the STP, the forthcoming Housing Strategy and other strategic documents that are shown in the Housing Policy Framework below.



Accordingly, is recommended that Cabinet adopt the Housing Principles Document.

Strategic Tenancy Policy Consultation Paper

The STP Consultation Paper (Appendix 2) outlines the main points that are contained in the STP Preliminary Draft (Appendix 3). It asks some key questions, both to confirm the direction of the draft and in areas where there are clear options and alternatives.

The Consultation Paper will be distributed to a group of primary stakeholders including the TLC and our Registered Provider (RP) partners. It will also be available to answer online. We will be consulting over the summer period and looking to bring together responses by September. A suitable amount of time will be allowed for consultation responses to be made and analysed.

As such, it is recommended that Cabinet approve the consultation process and paper to go to wider consultation.

Strategic Tenancy Policy Preliminary Draft

The Preliminary Draft (Appendix 3) consists of Officers' recommendations for the direction that the Council's Strategic Tenancy Policy should take. This has been formulated in consultation with Portfolio Holders, OSC and Officer recommendation. A range of options and best practice were considered when formulating the Officer recommendations and justification for the different elements of the Policy can be found in both Appendix 2 and 3.

It is recommended that Cabinet approve the preliminary draft to accompany the consultation information to be published to the public.

The points below summarise the key elements of the STP:

- It is recommended that Flexible Tenancies are adopted for the majority of new lets. This will apply to both Affordable Rent and Social Rent properties for Housing Associations and Local Authorities.
- It is recommended that Flexible Tenancies are issued on five year fixed terms. This would be in addition to the one year Introductory Tenancy issued at commencement of tenancy.
- It is recommended that Lifetime Tenancies are only issued to new applicants when they are over 50s living in Sheltered Accommodation. The tenancy type will be clearly advertised through the Choice Based Lettings process.
- It is recommended that reviews are conducted 12 months before the end of a tenancy. There will be a presumption to renew a tenancy as long as no material changes have taken place and the tenancy has not been breached. Further detail and a definition on material changes will be contained in the Review Process Document and the Allocations Policy review.
- It is recommended that the allocation of affordable rent properties will be defined within the Allocations Policy, which is shortly due for review.
- It is recommended the right to succeed is given to flexible tenants.
- It is recommended that the Council offers secure tenancies to transfer applicants that currently hold a secure tenancy, unless they specifically request a Flexible Tenancy. This means that current tenants are completely unaffected by the changes in the STP.
- It is recommended that a decision is taken on mutual exchanges when further guidance is made available from Central Government.

Glossary

CBL – Choice Based Lettings

LDF – Local Development Framework

OSC – Overview and Scrutiny Committee

RP – Registered Provider (latest name for Housing Association)

STP – Strategic Tenancy Policy

TLC – Tenants and Leasholders Committee