

Report for:	Housing and Communities Overview and Scrutiny
Date of meeting:	23rd January 2013
PART:	1

AGENDA ITEM: 11

SUMMARY



Title of report:	Strategic Tenancy Policy
Contact:	Cllr Margaret Griffiths, Portfolio Holder for Housing Julia Hedger – Strategic Housing Group Manager
Purpose of report:	To update H&C OSC on the final version of the Strategic Tenancy Policy and provide a draft version of the Flexible Tenancy Review Procedure for comments.
Recommendations	That H&C OSC note the final version of the Strategic Tenancy Policy and comment on the proposed Flexible Tenancy Review Procedure.
Corporate objectives:	The main impact of the policy will contribute to the Council's Affordable Housing objective. The broader impacts will help the Council to meet objectives for economic development and sustainability.
Implications:	<u>Financial</u> The policy can be implemented within existing budgets. <u>Value for Money</u> The value-for-money aims include: <ul style="list-style-type: none"> - Improving flexibility in new lettings to social (Affordable) housing; and - Supporting the Council's Housing Principle to make best and most efficient use of the stock.
Risk implications:	Risk Assessment completed
Equalities Implications	Equality Impact Assessment completed – no negative impacts identified.
Health And Safety Implications	None directly relating to the policy
Consultees:	Mark Gaynor – Corporate Director Housing and Regeneration

	<p>Elliott Brooks – Assistant Director Housing</p> <p>Andy Vincent – Group Manager Tenancy and Leasehold</p> <p>Dacorum Borough Council Housing and Communities Overview and Scrutiny Committee</p> <p>Tenants and Leaseholders Committee</p>
Background papers:	<p>H&C OSC – 21st March 2012</p> <p>Cabinet report – 26th March 2012</p> <p>H&C OSC – 5th December 2012</p> <p>Cabinet report – 22nd January 2013</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>STP – Strategic Tenancy Policy</p> <p>CBL – Choice Based Lettings</p> <p>LDF – Local Development Framework</p> <p>OSC – Overview and Scrutiny Committee</p> <p>RP – Registered Provider (latest name for Housing Association)</p> <p>STP – Strategic Tenancy Policy</p> <p>TLC – Tenants and Leaseholders Committee</p> <p>H&C OSC – Housing and Community Overview and Scrutiny Committee</p>

1. Background

1.1 The Localism Act 2011 introduced a new statutory duty for local authorities to have in place a 'Tenancy Policy' by January 2013. Requirements for meeting this duty include:

- An explanation of the different types of tenancy a local authority will grant; and
- A clear process for tenancy renewal where fixed-term 'Flexible Tenancies' are being introduced.

Cabinet and the Housing and Community Overview and Scrutiny Committee (H&C OSC) considered the principles of the Dacorum Borough Council draft policy at their meetings in March 2012.

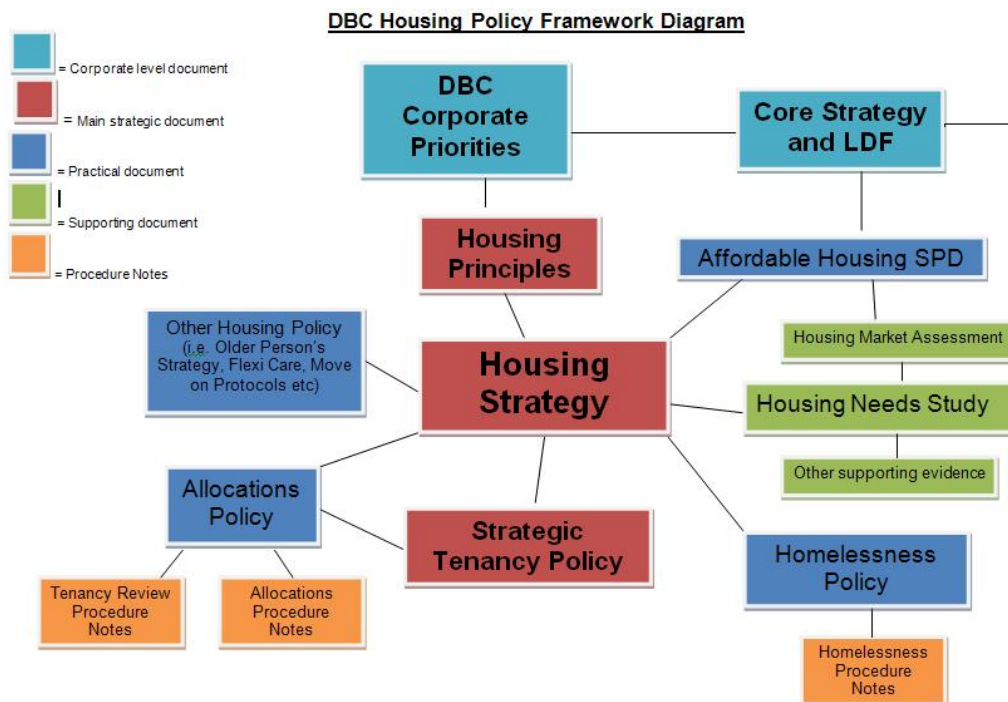
1.2 The Council's Strategic Tenancy Policy (STP) outlines the Council's approach to offering new tenancy types, introduced in the Localism Act 2011. These tenancy types can be used for both Council and Housing Association allocations. Although the document will not be binding for Housing Associations it sets out the Council's preferred approach that it would like to

see Housing Associations follow. The STP is attached as Appendix 1 to this report.

- 1.3 A full consultation process was undertaken and completed following the H&C OSC and Cabinet reports in March 2012. The Tenants and Leaseholders Committee (TLC) was informed of the Council's duty to produce a STP on the 5th December 2011. The TLC was then also fully involved throughout the consultation process. An opportunity to take part in the consultation through the website was open to the public and there were additional tenant consultation events. The feedback received through the consultation is included in Part 3 of the STP.

2. Housing Principles

- 2.1 The Council has a number of Corporate Priorities with which the STP is consistent. In the early draft stages of the STP it was considered beneficial for the Council to have a stand-alone document setting out the principles underlying the Council's Strategic Housing direction, and thereby demonstrating how the Corporate Priorities are incorporated. The 'Housing Principles' that resulted from this work have since shaped the direction of the STP. The Principles are included in Part 1 of the STP for reference, and are illustrated below:



3. Strategic Tenancy Policy Consultation Draft

- 3.1 The STP Consultation Draft was approved by Cabinet in March 2012 following a discussion at the H&C OSC (also in March).

- 3.2 The Consultation Draft was made available to view online on the Council's website and distributed to a group of stakeholders, including the TLC and local Housing Association partners. A short questionnaire was made available for tenants to respond to as part of a tenant consultation 'road show'.
- 3.3 The majority of comments made in response to the consultation were positive (a summary of the consultation responses has been included in Part 3 of the STP document). The Council welcomed all feedback and is confident that the overall response supports its proposals. The consultation period has not resulted in any policy changes or amendments.
- 3.4 As the STP is a new policy the Council has decided to include three parts to the document:
- Part 1 - Background information;
 - Part 2 - The Strategic Tenancy Policy; and
 - Part 3 - The consultation responses, monitoring and review.
- When the STP is reviewed in the future, Part 2 will become a stand-alone document in line with other Strategic Housing policy documents.
- 3.5 At the H&C OSC meeting on 5th December 2012 Members asked for the STP to be brought back to the next H&C OSC on 23rd January 2013 together with the draft Flexible Tenancy Review Procedure.
- 3.6 In consultation with the Portfolio Holder for Housing it was agreed that the STP would still be recommended for adoption at the Cabinet meeting on 22nd January, and the final STP would then be provided to H&C OSC on 23rd January with the draft Flexible Tenancy Review Procedure for comments.
- 3.7 The Draft Flexible Tenancy Review Procedure has been devised to reflect the Flexible Tenancies (Review Procedures) Regulations 2012. The regulations require that, six months to a year prior to a Flexible Tenancy coming to an end, a social landlord must undertake a review of that tenancy to assess whether it should be renewed. If a tenancy is not to be renewed then the tenant must be notified of the decision and be given the opportunity to appeal at least six months before the tenancy comes to an end.
- 3.8 The regulations stipulate how an appeal hearing will be conducted and Section 7 Part 2 identifies who will conduct the hearing if an appeal is received.

7.—(1) The hearing must be conducted by a person appointed for that purpose by the landlord, who may be an officer or employee of the landlord.

(2) A person appointed under paragraph (1) who is an officer or employee of the landlord must be a person of greater seniority than the person who made the original decision.