
REPORT TO:	Housing and Community Services Committee	AGENDA ITEM: 10
DATE OF MEETING:	29 November 2012	CATEGORY: DELEGATED
REPORT FROM:	Director of Operations	OPEN
MEMBERS' CONTACT POINT:	Beverly Wagstaffe (01283 228759)	DOC:
SUBJECT:	Strategic Tenancy Strategy	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: HCS01

1. Recommendations

1.1 Members approve the Tenancy Strategy.

2. Purpose of Report

2.1 To seek Members approval to the Tenancy Strategy – see Annexe B.

3. Content

3.1 As a result of the Localism Act 2011, Local Authorities have a statutory duty to publish a Tenancy Strategy by January 2013. The Tenancy Strategy must set out the kind of tenancies that may be granted, the circumstances in which those tenancies will be granted and what happens when such tenancies are brought to an end.

3.2 The Tenancy Strategy provides a broad framework which Registered Providers must give regards to.

3.3 On 14th June 2012 Members of this committee agreed to the broad principles for draft Tenancy Strategy to be prepared and consulted on. These are set out below:-

- Lifetime tenancies continue to be offered to those in sheltered housing/extra care.
- In standard circumstances a minimum 5-year fixed-term tenancy is offered for all other new lets.
- That the Tenancy Strategy sets out the circumstances when fixed-term tenancies should be offered for longer or shorter than 5-years.
- That the Tenancy Strategy sets out what Members consider to be suitable alternative accommodation should the current property be considered inappropriate to meet the household's needs at the end of the five years.

- That the Tenancy Strategy sets out how a review process may work utilising a principle that an automatic renewal of tenancies is the norm where there is no significant change in circumstances.
- Initial introductory tenancies continue to be offered to those renting social housing for the first time.

3.4 Consultation on the Draft Tenancy Strategy

3.4.1 The following consultation has been undertaken on both the broad principles set out above and the draft Tenancy Strategy:-

- A focus group was held with registered providers, housing related support providers and representatives from Derbyshire County Council Adult Social Care (7 organisations in total). Overall the feedback from this group was that they felt that moving towards fixed term tenancies was the right approach in the long-term. However, there was concern as to the impact the Strategy would have in the short-term due to a shortfall in affordable housing.
- The Strategic Housing Manager gave a presentation to the South Derbyshire Tenants' and Residents' forum providing an opportunity for the group to feedback on the broad principles. In the main there was support for fixed-term tenancies, however concern was raised about how tenants would be supported should their tenancy not be renewed at the end of the relevant period and the implications of not being able to find suitable alternative accommodation.
- As part of the Council's Tenant (STAR) survey carried out early in the year, tenants' views were sought regarding the use of fixed term tenancies. Discounting those who answered "don't know", 52% of tenants agreed with the use of fixed term tenancies. 70% of all respondents think that if these tenancies were introduced that should be for 5-10 year period.
- A copy of the draft Tenancy Strategy was published on the Council's website and a copy forwarded to registered providers and housing related support providers who operate across the district.

3.4.2 The outcome of this consultation was overall agreement that there was a need to make the best use of the social housing stock in the district and that moving towards fixed-term tenancy was the right policy direction. However, there was some concern as to the impact this Strategy will have in the short-term. A summary of the consultation can be found in Annexe A.

4. Financial Implications

4.1 None at this stage, although there may be additional costs of administration in setting up a process for tenancy reviews.

5. Corporate Implications

5.1 The Tenancy Strategy will contribute towards to the Council's strategic objective to ensure that households have access towards a range of affordable homes.

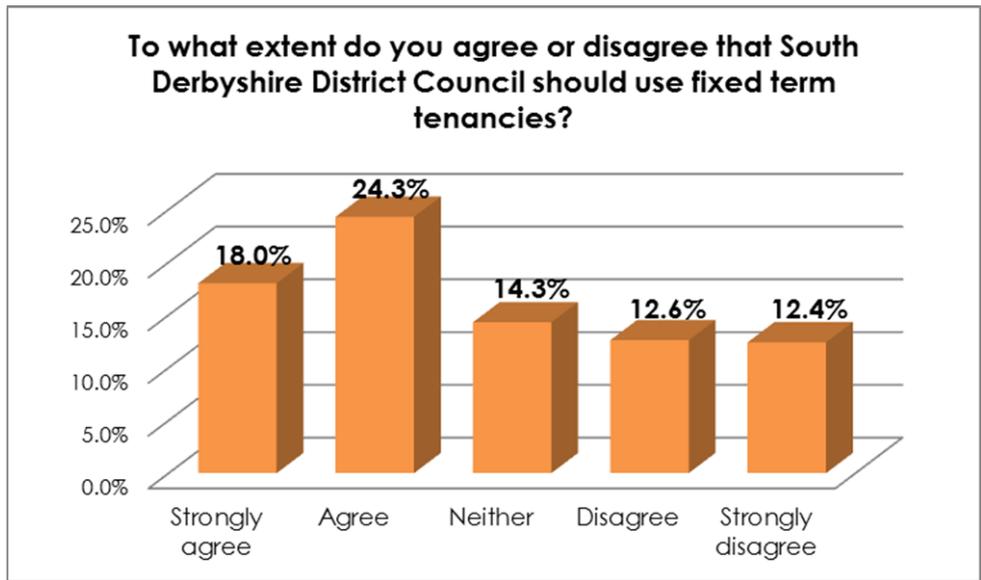
Summary of Responses to the Tenancy Strategy Consultation

Summary of Feedback from the Focus group on the broad principles

- Lifetime tenancies continue to be offered to those in sheltered housing/extra care.
 - *Agreed*
- Initial introductory tenancies continue to be offered to those renting social housing for the first time.
 - *Agreed*
- In standard circumstances minimum 5-year fixed-term tenancy is offered for all non-sheltered lets.
 - *It was appreciated that the Council would need to move towards fixed-term tenancies.*
 - *Using the term minimum 5-years would allow providers to adopt a flexible approach.*
 - *It was felt that RP providers operating across a number of Districts would need to adopt either fixed-term or lifetime tenancies and that it would be too over burdensome to have a mixture or different arrangements across authorities.*
- That the Tenancy Strategy sets out the circumstances when fixed-term tenancies should be offered for longer or shorter than 5-years.
 - *There was concern regarding the legal/equality implications of being too specific as to the categories of households who should receive long-tenancy agreements. However it was accepted that broad guidance would be needed by operational staff.*
- That the Tenancy Strategy sets out what is considered to be suitable alternative accommodation should the current property be considered inappropriate to meet the household's needs at the end of the five years.
 - *Although there was acknowledgement that households with children should stay within the child's school catchment area, there was concern as to whether suitable accommodation was available in market. There was a general feeling in practice that a tenancy would be renewed for the most part.*
- That the Tenancy Strategy sets out how a review process may work utilising a principle that an automatic renewal is the norm where there is no significant change in circumstances.
 - *It was considered that this was probably what would happen in reality as the cost of reviewing all tenancies would be over burdensome.*

Generally, it was felt that moving towards fixed-term tenancies is the right policy direction. However, a lack of appropriate affordable housing would potentially mean little if any impact in the short to medium.

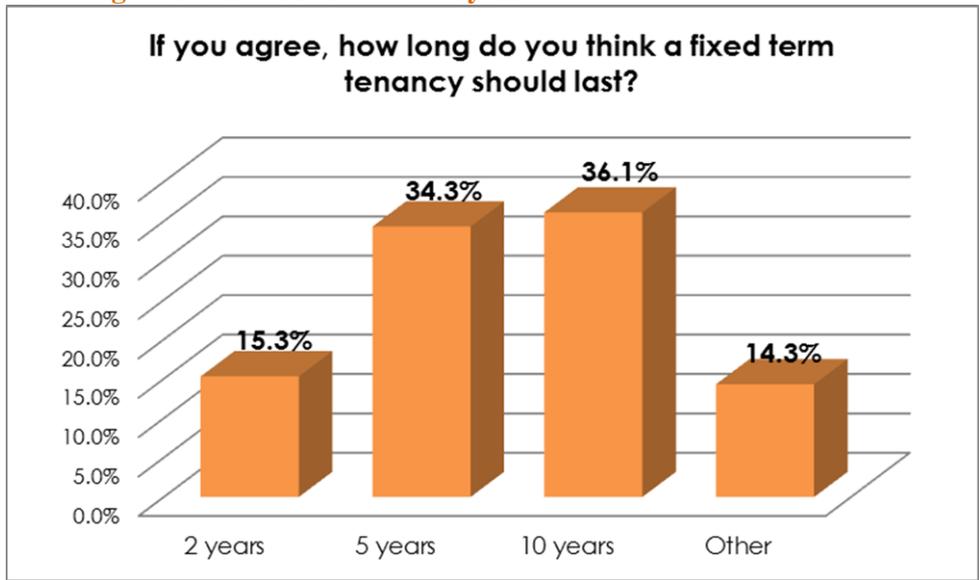
Fixed Term Tenancies



More than two fifths (42% of over 1,850 respondents) of respondents were in agreement that South Derbyshire District Council should use fixed term tenancies, however a quarter of respondents disagreed that these types of tenancies should be used. A further 18% answered don't know to this question. If these are discounted then levels of agreement rise to 52% and disagreement increases to 31%.

Respondents who were in receipt of benefits (45%) expressed higher agreement towards fixed term tenancies than those who did not (37%).

How long should a fixed term tenancy last?



Respondents who agreed that fixed term tenancies should be used were asked how long these types of tenancies should last. Respondents were divided as to how long the tenancies should last with 34% of respondents thinking 5 years was an appropriate length of time and 36% thinking that the tenancies should be for 10 years.