

REPORT TO:	Housing & Community Services Committee	AGENDA ITEM: 8
DATE OF MEETING:	10th October 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Housing & Environmental Services	OPEN
MEMBERS' CONTACT POINT:	Richard Knott, Housing Operations Manager (ext 5797)	DOC:
SUBJECT:	New Tenancy Policy	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: HCS01

1. Recommendation

- 1.1 That Members approve in principle the new draft Tenancy Policy ahead of a 4 week consultation programme.
- 1.2 That if no material changes are proposed following the consultation process, as assessed by the Chairman of the Committee, the amended policy be adopted and implemented immediately. Material proposals to be the subject of a further Committee report.

2. Purpose of Report

- 2.1 To inform and seek members' approval of the draft Tenancy Policy. The policy incorporates the requirements of the Localism Act 2011.
- 2.2 To seek members approval of the proposal to open wider consultation with current tenants and applicants on the Housing Register and other stakeholders.

3. Detail

- 3.1 Under the Localism Act 2011, all local authorities (whether they have retained housing stock or not) have a duty to produce a tenancy strategy, setting out the objectives to be taken into consideration by individual affordable housing providers as they make decisions about their own tenancy policies.
- 3.2 South Derbyshire District Council's Tenancy Strategy was agreed by this Committee in November 2012. It sets the strategic priorities in terms of tenancy allocations for Registered Providers in the district.
- 3.3 With a retained landlord function South Derbyshire District Council Housing Services therefore has a duty to publish a Tenancy Policy which describes the types of tenancies it will offer and the way in which these tenancies will be managed. The Tenancy Policy has been developed with full regard to South

Derbyshire District Council's Tenancy Strategy. The policy follows the principles and objectives of the Strategy and should be read in conjunction with it.

3.4 The Tenancy Policy sets out:

- The types of tenancies the Council will offer
- The circumstances in which tenancies will be granted
- The process for reviewing tenancies
- How succession rights will be managed
- Our approach to Tenancy Sustainment

3.5 Housing Services proposes to grant 4 types of Tenancy. These are:

- Introductory Tenancies
- Flexible Tenancies
- Secure Tenancies
- Temporary Agreements

3.6 Introductory Tenancies will be granted to all applicants new to social housing, for an initial period of 12 months. These may be extended if there is a breach of tenancy conditions. (Introductory tenancies are already in place and have been used by the Council for over 10 years).

3.7 Flexible tenancies will be granted at the end of a successful Introductory Tenancy in line with the already agreed Tenancy Strategy. The majority of these will be five years in length. There may be some exceptional circumstances where a two year tenancy will be granted. A review will be carried out between 12 and 6 months before the end of the term in all tenancies.

3.8 This review will determine whether or not the tenancy will be extended at the same or another property for a further period of, usually, 5 years.

3.9 If the household make up has changed, resulting in under or overcrowding, a flexible tenancy may be offered at an alternative property to ensure the best use of housing stock and to ensure housing remains affordable for the tenant.

3.10 The review will also determine whether a new flexible tenancy will be granted at any property. If the tenant's circumstances have changed significantly, for example, in terms of an increase in household income above the threshold set in the Allocations Policy, or whether there are proceedings to recover the property in the courts.

3.11 Tenants may appeal any adverse decision by submitting in writing how the decision does not comply with the Tenancy Policy within 21 days of them being notified of that decision.

3.12 Secure tenancies will remain in place for all existing secure tenants of South Derbyshire District Council. If a secure or assured tenant from any social landlord transfers to one of our properties they will retain their secure status at the new property.

3.13 Secure tenancies will be offered to the large majority of tenants granted Introductory Tenancies in Supported (previously Sheltered) Accommodation.

3.14 Temporary agreements may be granted to homeless applicants or people in need of short term housing on a supported or emergency basis.

4. Financial Implications

4.1 Once the policy has been approved in principle new tenancy agreements will be created and the current secure tenancy agreement reviewed. The adoption of a new agreement will involve mailing out the new terms and conditions to all existing tenants. Supplementary guides and easy read agreements will also be published. This can be met from existing budgets.

5. Community Implications

5.1 There will be a full and open 4 week consultation process if the draft policy is approved by this committee. Applicants, Tenants, Tenants' groups and other stakeholders will be able to make comment on the proposed policy.

6. Background Papers

6.1 The proposed tenancy policy is attached at Appendix A.