
REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	10th MARCH 2016	CATEGORY: DELEGATED
REPORT FROM:	PERFORMANCE AND POLICY MANAGER	OPEN
MEMBERS' CONTACT POINT:	MARTIN GUEST (595940) martin.guest@south-derbys.gov.uk	DOC:
SUBJECT:	REVIEW OF TENANCY AGREEMENT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCSO1

1. Recommendations

- 1.1 That Members agree the proposed changes set out in 3.4 so that the Council can finalise the new tenancy agreement following the formal consultation which took place with all tenants between 25 January and 22 February 2016.
- 1.2 That Members approve service of a Notice of Variation, pursuant to section 103 of the Housing Act 1985 on the 20 May 2016.

2. Purpose of Report

- 2.1 This report sets out the feedback from the formal consultation undertaken with all tenants and the revisions proposed for South Derbyshire District Council's Housing Tenancy Agreement. This document will affect all of South Derbyshire's existing secure and introductory tenants and will replace the current Tenancy Agreement and will be used to "sign-up" new tenants in the future.

3. Detail

- 3.1 The proposed changes to the new Tenancy Agreement, the formal consultation process and the planned timetable were outlined to Members in a report on the 4 February 2016.
- 3.2 The Council wrote to all its tenants on the 25 January 2016 to start the formal consultation process. This was through a detailed breakdown of all the proposed changes by serving a Preliminary Notice of Intention to serve a Notice of Variation pursuant to section 103(2) of the Housing Act 1985.

3.3 The Council received over 200 contacts from tenants following the receipt of this letter. Nearly all of those contacts required clarification and reassurance from Council officers about the process and what the consultation was about. Of those that responded and had comments about the proposed changes, the main points made were that they:

- Did not agree with changing from two weekly in advance to periodically in advance. Felt that the Council should have a two weekly payment cycle in place for both standing orders and direct debits.
- Had concerns regarding the pets' policy and having more than 1 pet.
- Had concerns about not being able to have a gas heater in the property.

3.4 This feedback was then discussed by tenants' representatives and officers at a meeting on the 26 February 2016. Recommendations over what changes needed to be made following this feedback were then proposed. These proposed changes with officer/tenant recommendations have been collated in Appendix 1. Following this meeting it is proposed that both the new Tenancy Agreement and the Notice of Variation are updated as below to reflect the following change:

- 6.10 - We will not normally give permission for a dog or cat in a flat that shares a communal entrance, however visiting pets would be allowed providing they didn't cause a nuisance.

Next Steps

3.5 The Council will serve a Notice of Variation, pursuant to section 103 of the Housing Act 1985, on the 20 May 2016 on all tenants. This will be served by hand by Council officers/representatives over the weekend of the 20-22 May as part of the delivery of the summer edition of Housing News. The new tenancy agreement will then come into effect on Monday 27 June which will be not less than 4 weeks after the service of this notice.

4. Financial Implications

4.1 None

5. Corporate and Community implications

5.1 Providing services that meet the needs and aspirations of customers is a key aim of the Service and Council and delivers on several Corporate Plan outcomes.

Background Papers

- Report to Housing and Community Services on the 4 February 2016 – New Tenancy Agreement
- Online consultation information contained on the South Derbyshire website <http://www.south-derbys.gov.uk/housing/consultations/default.asp>

Appendix 1 – Proposed changes to the new Tenancy Agreement following consultation with all tenants

Address	Date	Comments	Recommended change	Other action taken/further information
Swadlincote	26.01.16	Issue raised regarding payment methods. SDDC should have 2 weekly payment method in place in order to pay 2 weeks in advance and 2 weeks in arrears this will enable tenants to meet the requirement to pay fortnightly in advance for both standing orders and direct debits. Concerned about the wording under 3.4 changing from 2 weeks in advance to periodically in advance.	Following discussions with tenant representatives explaining the rationale for the change, it was agreed to proceed with the proposed changes under 3.4 of the new tenancy agreement.	<p>We are looking to bring in options for Direct Debit for our tenants to be able to pay on 4 dates a month in 2016/17. This would still be done on a monthly cycle. Standing order can be done on a weekly, fortnightly or monthly basis.</p> <p>An explanation was given to tenant representatives over the rationale for change from 2 weekly to periodic. This gives the Council the opportunity, if required, to move to monthly rents in the future in line with Universal Credit and other national policy changes.</p>
Newhall	29.01.06	Concerned regarding pets tenancy states 1 pet they have 2.	Following discussions with tenant representatives we have amended 6.10 of the new tenancy agreement to reflect the concern around friends and family with pets visiting tenants.	This is in line with the Council's existing pet conditions and the new wording gives tenants the opportunity to request permission for additional pets from the Housing Management Team.
Newhall	29.01.06	<p>a) Change from 2 pets to 1.</p> <p>b) Point 7.7 Gas Heaters are not permitted following the removal of gas fire.</p>	<p>Following discussions with tenant representatives we have amended 6.10 of the new tenancy agreement to reflect the concern around friends and family with pets visiting tenants.</p> <p>Dangerous liquids change under 7.7 of the new tenancy agreement was accepted by tenant representatives, pending any changes from Derbyshire Fire and Rescue Service.</p>	<p>This is in line with the Council's existing pet conditions and the new wording gives tenants the opportunity to request permission for additional pets from the Housing Management Team.</p> <p>The query on the heater relates to 'In particular you must not use bottled gas, paraffin, petrol or anything else that may be dangerous or a fire risk' which is different to the existing which states 'you can keep the amount of bottled gas, paraffin or other dangerous material that you reasonably need'. Tenants agreed the wording was fine subject to confirmation from the Derbyshire Fire and Rescue Service. Awaiting feedback from the Fire and Rescue Service.</p>