

R E F E R R A L

from
CABINET
HELD ON 4TH DECEMBER 2012

to
COUNCIL
ON 20TH DECEMBER 2012

Public Interest Test

The author of this referral, Julie Hamilton, Senior Democratic Services Officer, has determined that it is considered to be of a non-confidential nature.

MINUTE NO. 102(b) – Strategic Tenancy Strategy (Key Decision No. 325)

RESOLVED that:

1. The Tenancy Strategy be endorsed and referred to full Council for approval and implementation.
2. The further review of the Tenancy Strategy in the next financial year to assess outcomes be noted.

Referred Reports will be submitted in their original form unless the Responsible Officer indicates otherwise.

Copies to: Committee Administrator
 Interim Chief Executive
 Director of Community Services
 Housing Strategy and Renewal Manager

BASSETLAW DISTRICT COUNCIL

CABINET

December 2012

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

STRATEGIC TENANCY STRATEGY

Cabinet: Housing
Contact: Claire Frost
Ext: 3857

1. Public Interest Test

The author of this report Claire Frost has determined that the report is not confidential.

2. Purpose of the Report

To gain Member approval to adopt the Council's Tenancy Strategy.

3. Background and Discussion

3.1 The Localism Act 2011 recommends that Local Authorities produce a Tenancy Strategy covering their policies on tenancies, succession and affordable rents it also is expected to set out the principles by which the Council expects partner registered providers to allocate and let their homes. The Localism Act also introduces a range of provisions aimed at reforming social housing. Possibly most notable of these are those which change the way that councils can allocate their homes.

3.2 Members will recall in July 2012 a report was presented to Cabinet which set out the suggested areas where Bassetlaw District Council could utilise these provisions set out in the Localism Act. Authorisation was granted by Members to undertake consultation with interested parties, also to hold Members' workshops to encourage further discussions around many of the provisions.

3.3 Consultation

3.3.1 As part of the development of the Tenancy Strategy we have consulted with:

- Members
- Homeless User Group
- A1/BDC Strategic Group
- Tenant Groups (as tenant representatives)
- External support providers, such as CAB, Framework
- Social Services (Adult and children's services)
- All Registered Social Providers within Bassetlaw
- Neighbouring local authorities

A survey of applicants has also been carried out.

The main issues raised were during the workshops carried out with Members where the usage and monitoring of Fixed Term Tenancies were a concern. Discussion took place around the most appropriate usage of this reform and how we could use it to benefit the District.

In agreement with Members, the Tenancy Strategy has been amended to highlight that the Council recognises the occasional benefits of using fixed term tenancies to make more efficient use of housing stock and to more effectively focus provision on those in most need.

The feedback from Members' workshops suggested that in order to make best use of our stock in meeting the needs of the District, we will reserve the right to use flexible tenancies in the following circumstances:

- **Occupation of fully adapted properties**

Re-use of adapted properties where the disabled person is no longer resident.

The principle is that once unsuitability arises, the fixed term tenancy would not be renewed on expiry.

- **Management of Stock or Tenancy Issues**

To be used in cases where there is a previous record of criminal behaviour, Anti-Social Behaviour, drugs offences. Or where a tenant or a member of tenant's household has been previously evicted from a Council tenancy for: Anti-Social Behaviour, criminal activities or any convictions which are deemed serious.

The principle being that we can take action and monitor closely households that have a history with the Council for Anti-Social Behaviour.

- **Local Connection**

To be used when a tenant has secured the right to accommodation through having employment within the district but the length of the employment is for 2 years or less, the tenancy to be reviewed as part of routine flexible tenancy reviews.

Appendix A is the final Tenancy Strategy for Members' approval.

3.3.1 Managing Agency arrangements

This scheme mirrors the private sector leasing scheme approved by members earlier this year but, technically, the Council are not leasing the property from the owner but are entering into a managing agency agreement. The reason for this is at the moment Housing legislation and Council current policies only allow us to let leased properties to homeless people. This narrows the number of prospective tenants.

The scheme has been developed as part of the Council's empty homes initiative. Some owners of empty properties are keen to let their property but do not want to take on the role of landlord. By offering this scheme the Council can provide the a housing management service on behalf of private owners whilst at the same time

increasing the number of properties available to meet the needs of the housing waiting list and /or homeless applicants.

4. Implications

a) For service users

The implementation of the Tenancy Strategy will ensure that it is clearer for applicants and that maximum choice is given according to their housing needs and that this overarching meets the current legislative requirements.

b) Strategic & Policy

The changes require council to review any current working policies and produce a Tenancy Strategy which outlines all existing policies which are required to take into account local need.

c) Financial - Ref: 13/66

The Council will need to consider the costs of implementing any changes in respect of both staffing and modification of IT systems, particularly in relation to flexible tenancies and affordable rents. These issues will be addressed in future reports.

d) Legal – Ref: 370/12/12

The Localism Act contains a legal duty for local authorities to deliver a Strategic Tenancy Policy.

e) Human Resources

The implications in respect of staffing resources have not been assessed at this stage.

f) Community Safety, Equalities, Environmental

There are no initial negative outcomes from adopting this document.

g) Whether this is a key decision, and if so the reference number.

This is key decision No. 325.

5. Options, Risks and Reasons for Recommendations

Members approve the Tenancy Strategy set out in *Appendix A*. The risk to not approving the Tenancy Strategy is that the Council will not have influence over how Registered Providers within the District can work. It also will reduce the flexibility the Council and A1 Housing have in utilising the reforms.

6. Recommendations

6.1 Members approve the Tenancy Strategy.

6.2 Members note the further review of the Tenancy Strategy in the next financial year to assess outcomes.