

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
11 December 2012

Subject: TENANCY STRATEGY

All Wards
Portfolio Holder for Housing and Planning: Councillor M Robson

1.0 PURPOSE AND BACKGROUND:

1.1 This report introduces the North Yorkshire tenancy strategy, and recommends its adoption as corporate policy in accordance with the requirements of the Localism Act 2011.

1.2 The Localism Act 2011 requires all Local Authorities (whether stockholding landlords or not) to develop and publish a Tenancy Strategy which will set out principles that all social housing providers in their area must take into account when developing their own Tenancy Policies.

1.3 Part 7 of the Localism Act 2011 has the following specific instruction;

A local housing authority in England must prepare and publish a strategy (a “tenancy strategy”) setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to—

(a) the kinds of tenancies they grant,

(b) the circumstances in which they will grant a tenancy of a particular kind,

(c) where they grant tenancies for a term certain, the lengths of the terms, and

(d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

1.4 Housing authorities are particularly required to consult with Registered Providers and others directed during the preparation of the strategy, and to have regard to their allocations and homelessness policies.

1.5 When considering this requirement, housing authorities in North Yorkshire agreed to jointly develop a tenancy strategy for North Yorkshire. The sub region has a good track record of developing joint strategies, and has a joint Housing and Homelessness Strategy, Local Investment Plan and Rural Housing Partnership, all governed and overseen by the Local Government North Yorkshire and York Housing Board (the Board). This arrangement brings good value for money to all partners, and is beneficial to smaller authorities who may lack staffing capacity for strategic housing work. It is a logical step to collaborate with other North Yorkshire housing authorities to develop this guidance, and provide a clear steer to Registered Providers, many of whom work across a number of North Yorkshire Districts.

1.6 A consultation was held across North Yorkshire earlier this year. The consultation comprised an online survey form and a series of meetings with Registered Providers and other interested parties. A tenancy strategy was subsequently developed by the housing partnership manager and this was endorsed by the LGNY&Y Housing Board in early October 2012. The North Yorkshire tenancy strategy is attached at Annex A.

1.7 The tenancy strategy is a high level framework of shared objectives and principles relating to tenancy issues – it does not remove discretion from Registered Providers delivering housing in Hambleton. Broadacres’ landlord service is developing its own tenancy policy to govern how the approach to tenancy management will be dealt with in future. The Council has had early sight of the Broadacres proposed tenancy policy, and it is in broad accordance with the principles and objectives of the North Yorkshire strategy.

3.0 DECISIONS SOUGHT:

3.1 To adopt the North Yorkshire tenancy strategy as corporate policy, in satisfaction of the requirements of part 7 of the Localism Act 2011.

4.0 LINK TO CORPORATE PRIORITIES:

4.1 The aim of the tenancy strategy are in accordance with the Corporate priority to promote affordable housing for the benefit of local people.

5.0 RISK ASSESSMENT:

5.1 There are no significant risks in approving the recommendations.

5.2 Risk in not approving the recommendations

Risk	Implication	Prob*	Imp*	Total	Preventative action
No tenancy strategy adopted by January 2013	Hambleton fails to comply with the requirements of Localism Act, inviting challenge	5	3	15	Adopt strategy

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

6.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:

6.1 There are no financial implications to this strategy

7.0 EQUALITY/DIVERSITY ISSUES:

7.1 An equalities impact assessment of the strategy has been undertaken. This identifies no equalities issues.

8.0 RECOMMENDATIONS:

8.1 That Council be recommended to adopt the North Yorkshire Tenancy Strategy.

MICK JEWITT

Background papers: North Yorkshire tenancy strategy equalities impact assessment

Author ref: HF

Contact: Helen Fielding
 Author Housing Manager
 Direct Line No – 01609 767176

ANNEX A – North Yorkshire Tenancy Strategy

NORTH YORKSHIRE TENANCY STRATEGY

1.0 Introduction

- 1.1 This Strategy has been developed following consultation with housing providers across North Yorkshire and York in Spring 2012. It brings North Yorkshire together to give us a stronger voice and more influence to achieve what are essentially shared common goals in respect of tenancy policy and sub regional collaboration on future consultation. The strategy does not cover Scarborough or York, which have either adopted or are in the process of adopting their own aligning strategies.
- 1.2 The Strategy is a high level framework of shared objectives and principles relating to tenancy issues that seeks to provide more consistency for our delivery partners and customers, while ensuring that local discretion is not removed from our Local Authorities.
- 1.3 It is sufficiently flexible to enable partners to respond to variations in local markets across North Yorkshire, meet the needs of local communities and to support corporate objectives. However, importantly, it sets out clear markers for stockholding authorities (and all Registered Providers) developing their own detailed Tenancy Policies which will sit alongside or beneath the North Yorkshire Tenancy Strategy. These local policies will be tailored to reflect individual housing needs and priorities, whilst upholding the general principles of the North Yorkshire Strategy.
- 1.4 This Tenancy Strategy will be of interest to:
- The Local Authorities who are partners to the Framework and/or members of NY Home Choice, Choice Based Lettings system.
 - Registered Providers operating across the sub region
 - Developers.
 - Private Sector Landlords.
 - Voluntary sector organisations.
 - The statutory investment and regulatory agency, The Homes and Community Agency

2.0 Strategic Aim

- 2.1 The overarching aim of this Strategy is:
To enable Housing Providers in North Yorkshire to co-ordinate their policies and practices to produce tenancies for customers which meet local housing needs, provide support to those who need it, improve choice and contribute to sustainable communities and economic growth and recovery.

3.0 Strategic Objectives

- 3.1 Delivery of this aim will be via a number of key objectives:
- To embed partnership working between RPs, LAs and other stakeholders as a key tool for delivering the best outcomes for our residents, and future residents.
 - To ensure that affordable housing meets locally identifiable housing need and demand
 - To develop and sustain mixed and balanced communities by incentivising and persuading our partners to support tenure mixes on sites that meet local profiles and reflects the needs of our urban and rural communities.
 - To ensure a balanced and stable housing market

- To bring about consistency for delivery partners by identifying areas of tenancy policy where there could be convergence
- To sustain tenancies
- To protect and provide for the interests of vulnerable groups and respond to changes in social care needs
- To make best use of affordable housing stock
- To increase choice for customers, whilst being mindful of local lettings initiatives designed to meet local needs.
- To improve support, advice and access for customers
- To address issues of equality, diversity, fairness and consistency across North Yorkshire
- To enable social mobility for households who need to move in/out and within North Yorkshire for whatever reason.

4.0 Partnership Working and Consistency

4.1 Partners recognise that strong joint working relationships and an ongoing dialogue, particularly between Local Housing Authorities and Registered Providers, is critical for effective implementation and monitoring of this Tenancy Strategy by Local Government North Yorkshire and York Housing Board, via the North Yorkshire Housing and Homelessness Strategy.

4.2 Close partnership working will also help us to respond speedily and appropriately to any issues or risks that may arise and to make informed decisions on how the strategy should be reviewed in the future to ensure that it continues to be 'Fit for Purpose'

4.3 This strategy seeks to bring consistency in a number of ways notably through:

- shared definitions
- the length of tenancies that will be offered in the future
- shared policy approaches for specific client groups and property types
- joint measures to improve customer access to support and advice
- joint measures to increase customer choice

5.0 Affordability

5.1 Definition of Affordable Housing

5.1.1 This Strategy adopts the definition of Affordable Housing that is set out in the National Planning Policy Framework
'Social Rent, Affordable rent and Intermediate housing provided to eligible households whose needs are not met by the market'.

5.2 Affordability

5.2.1 To ensure that our homes are affordable to those who need them we favour rents and service charges that are not in excess of Local Housing Allowance levels. Registered Providers should also have regard to local policies on affordability and any requirements of S106 agreements.

6.0 Sustaining mixed and balanced communities

6.1 We will use information from the North Yorkshire Strategic Housing Market Assessment and local intelligence to better understand local housing markets and to help us to influence tenure decisions.

- 6.2 In the spirit of partnership working housing providers will be expected to inform and discuss proposals for disposals of affordable housing stock with local authority partners.
- 6.3 We acknowledge that the number of conversions has been pre-determined by the Homes and Communities Agency through the National Affordable Housing Programme contracts. However, we also note that Registered Providers do have some flexibility when considering which specific properties to convert.
- 6.4 When considering the number of properties which will be re-let at an Affordable Rent Registered Providers have regard to the following;
- The pattern of re-lets by location, property size and type
 - The need to ensure that under-occupiers wishing to downsize are not discouraged to do so
 - The need to ensure a reasonable supply of family-sized accommodation at social rents
 - The need to ensure that properties in rural areas can be let to those working locally on low incomes
 - The shortage of wheelchair accessible accommodation
- 6.5 Whilst we do not expect Registered Providers to consult individual local authorities on each conversion they should agree a criteria or an overall approach with local authorities.
- 6.6 Where it is appropriate in local circumstances, we will support the use of some or all of the following tools to sustain tenancies: _
- 6.7 Minimum Five Year Fixed Term Tenancies- with the scope to reduce this down to two years in certain circumstances (such as in supported tenancies where tenants may move through support) and where the landlord can clearly demonstrate that there are valid reasons for this shorter period. Registered Providers should work with individual local authorities to define the most appropriate tenancy types for these situations. In such circumstances the Registered Provider will be expected to demonstrate how the tenancy can be managed in order to minimise the adverse impact on the sustainability of the community.
- 6.8 For properties with significant adaptations for disabled persons housing providers may wish to consider offering fixed term tenancies or a secure tenancy with a clause requiring it to be dependent on a person requiring that level of adaptation still being in occupation.
- 6.9 Introductory Tenancies -The periods for Introductory Tenancies will be regarded as being in addition to the minimum length of tenancy required by this strategy.
- 6.10 Lifetime tenancies – We recognise that these may be appropriate for particular client groups- notably householders that are over retirement age and those who are considered to be vulnerable due to illness, disability or another specified reason- and where individual housing providers feel that they are an important tool for sustaining communities.
- 6.11 Review of Tenancies
- 6.11.1 At the end of a fixed tenancy period housing providers can choose whether to renew the tenancy and there are various issues/circumstances housing providers may wish to consider when making a decision not to renew a tenancy.
- 6.11.2 To encourage the best use of our scarce affordable housing stock we will encourage tenants to down size from a property that they are currently under-occupying to a smaller home that better meets their housing needs and household makeup. Traditionally such clients have been older people whose families have grown up and left homes but in the future this is likely to change as a result of the impact of Housing Benefit changes.

6.11.3 Providers will also encourage existing tenants who themselves or a member of their households no longer require an adapted property to move voluntarily to a more appropriate home.

7.0 Access and Equality

7.1 As part of this Strategy we are also striving to improve our support, advice and access for customers. We will achieve this through the following:

7.2 Through North Yorkshire Home Choice we aim to deliver a single housing register with all homes allocated according to a joint allocations policy. This policy is predicated on a number of principles- including to promote flexibility and fairness in the allocation of scarce affordable housing. Other local allocations policies will replicate these principles.

7.3 Through North Yorkshire Home Choice we will continue to enable cross boundary mobility to allow people to access employment, training and to give or receive care. Housing providers will also participate in national arrangements for home swap services.

7.4 We will seek to provide vulnerable people with more sustainable housing options.

7.5 Landlords should have policies and procedures in place to ensure that their services are tailored to meet the needs of vulnerable groups. Through North Yorkshire Home Choice and the allocation policies of other providers we will seek to ensure that processes and allocations policies are accessible to vulnerable people.

7.6 We will champion the proper linking of advice and assistance at any tenancy reviews with Adult Social Care Assessment processes.

7.7 We will encourage the provision of properties to meet the needs of specific groups such as older people (E.g. Extra Care), victims of domestic violence (including Making Safe)

7.8 Common Standard for Advice and Assistance at the end of a tenancy

7.8.1 North Yorkshire will develop a Common Standard for Advice and Assistance in consultation with all its housing providers. This may be a standard of our own or we may choose to adopt an accredited standard such as the Shelter accredited standard. Any standard needs to cover:

- Conformity with policies adopted by North Yorkshire Home Choice and Harrogate Borough Council
- Additional protection for vulnerable clients
- Robust financial assessment that accords with data protection requirements

7.9 Consideration of a Joint Housing Options Service

7.9.1 Consultation has indicated that there is an appetite to consider establishing a joint housing options advice service across the county to provide this advice, funded by both Local authority and Registered Provider contributions. The scope to develop such a service will be investigated.

8.0 MONITORING AND REVIEW

8.1 The framework for maintaining up to date information and reviewing this Strategy is via the NY Housing and Homelessness Strategy.

9.0 EQUALITIES

9.1 An Equalities Impact Assessment has been undertaken on this Strategy and is attached.